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APPENDIX.

APPENDIX.

No. I.

TRIALS AND LAW PROCEEDINGS.

STATE TRIALS.

J. JOHNSON, S. DRUMMOND, AND
J. BAGUELEY, FOR SEDITION.

*Chester Spring Assizes, Thursday,
April 15.*

THE indictment charged, that the prisoners, with others, did unlawfully conspire, assemble, incite and stir up certain individuals against the Government and Constitution; that this took place at a meeting held near to Stockport, on the 1st of September last, at which from 3,000 to 4,000 people were assembled, under pretence of petitioning for a reform in the Commons' House of Parliament; and that the three prisoners having ascended a stage to harangue the people, derided the monarchy, recommended their going to obtain their demands with arms in their hands, suggested a National Convention, and stated, that if their petition was not attended to, the people ought to arm themselves against tyrants, and oppose force to force.

William Bolton was the first wit-

ness called.—He was at Stockport on the 1st of September last, and attended the meeting at Sandy Brow; 3,000 or 4,000 persons were present; a large stage had been erected, and witness saw five or six persons thereon. Bagueley and Drummond were on the stage. Witness reduced to writing what he had then heard. Harrison, who was chairman, spoke with great contempt of Government, and ended by making some religious quotations. Bagueley addressed them in favour of reform, blamed them for apathy, and eulogised Paine. "All the shopkeepers," he said, "would be reformed, were the people only to make purchases from republicans." He recommended sending deputies and delegates from all parts of the kingdom, and rising in arms to repel force by force. "If you want a leader," (said he) "I will lead you, and spend the last drop of my blood." He reprobated the people for abusing Buonaparte whom he eulogised, and declared he would lay down his life in the cause

of liberty. Johnson arrived, and spoke after Bagueley. He said the men at Derby were murdered, and wished for a sword long enough to cut off the heads of all such tyrants, as Castlereagh, Sidmouth, and Canning. "I will shoot (said he) whenever I have an opportunity; and if I do not do it, I hope the women will tear them limb from limb." He advised the men not to go to work again, and not to listen to the master weavers and manufacturers, but to burn the looms. The weavers had turned out, and were present. Witness saw the three prisoners before at a meeting near the same place; when they addressed the crowd on the subject of Parliamentary Reform, and abused and ridiculed the police of the town. They appeared acquainted with one another. Bagueley kept a school at Stockport.

Cross-examined by Mr Williams. —Witness saw no arms; was himself a stage-player, and kept a billiard-table. No one at the meeting durst contradict the speakers. Witness was a special constable; there were about 200 special constables. On the second day after the meeting, witness was examined by the Grand Jury at Chester with respect to what he had heard.

John Lloyd of Manchester, special constable, sworn. —He was at the Blanket Meeting, in Manchester, in March, and since the 3d of March 1818, knew the prisoners, who were upon a stage there, at a large meeting, addressing the people. Bagueley advised the Blanketeers to go to London to obtain their rights. There had been a preceding meeting near St Peter's Church, at which many thousands were present. He did not see Johnson there. The speaker asserted it was no use to petition Parliament; other means must be resorted to. Johnson said that, on the 3d, in

the evening, they would meet with friends on the road, before they reached Birmingham. He had no doubt they would be strong. The meeting at St Peter's Church, with blankets, was fixed on at that meeting. He took notes after the meeting. Bagueley and Drummond were taken up on the 10th; he saw Johnson also in custody. Other meetings were held in the country, and witness saw Bagueley and Johnson at many of them. These meetings were seditious. Johnson, at one of them, advised the people not to pay taxes, and to rise in a body against those who should come to collect the taxes. Witness produced the minutes of the meeting at Sandy Brow, Stockport, on the 1st of September 1818. Bagueley said he was weary of meetings for reform in Parliament. The people must recover their liberty. Towns and villages should choose delegates, draw up a petition, and arm themselves. He recommended a large house in London, to be called the National Convention, and advised the whole country to take up arms, and to meet for drill at 7 o'clock in the morning. They three would stick by the people to recover their rights. He advised the people to give up working, and then the Government could not be supported. Mr Drummond said, "Arm yourselves, and be unanimous; behave with civility and decorum; nothing but sword in hand will do — Liberty or Death!" Mr Johnson had advocated reform three years, and had been in chains under the late acts. Government had sent to the clergy to pack the juries at Derby. He then abused grossly Lords Castlereagh and Sidmouth, and Mr Canning. They had been confined in gaol and ruined. He railed against the Magistrates of Cheshire and Lancashire. Rather than live as they did, he would advise them

to rob and plunder, and for his own part would end his days on the gallows. "The time is come, said he, when we must arm ourselves, and I am ready to lead even to-morrow morning." Bagueley stated he had waited on the Reverend Magistrate; but he had refused his assent, although the requisition was signed by many respectable persons. He ended by speaking against his Majesty's Government.

James Coppack, of London, was at Stockport in September last, and saw a public procession of weavers, from 1,800 to 2,000, turn out the hand-loom weavers. He confirmed the statements of the preceding witness as to most of the particular matters, and as to the approbation of the populace being always given to the most furious and inflammatory declamations.

• *William Young*, and *R. Gee*, both of Stockport, corroborated the testimony of the two foregoing witnesses.

John Horatio Lloyd, student at Oxford, was at the meeting, which was attended by 3,000 persons and upwards. He saw Harrison (in the chair,) Bagueley and Drummond. Harrison first addressed the meeting, Bagueley spoke after, and Drummond took notes. Harrison spoke of the doctrine of resistance; Drummond of the mal-administration of the Government, and of the increase of the National Debt only to support the Royal Family. Drummond con-

tinued, "We have now not only one tyrant, but we have Commons, Lords, and Kings." Bagueley said, "I can do my duty, whether by sword in hand or otherwise." Drummond stigmatised the masters of factories, and called on his auditors to rouse themselves from their pernicious lethargy. This was the last time they would meet to discuss the question; the next time they must act—Liberty or Death! Johnson began in a violent manner, and spoke loudly. He talked of his long imprisonment, and said the next time they met must be with swords in their hands. "Oh!" he exclaimed, "that I had a sword long enough to strike off the heads of all the tyrants in the land. Some I will name, Castlereagh, Sidmouth, and Canning."

The prisoners called no witnesses, but Mr Williams addressed the jury in their behalf. They were all found *Guilty*.

On Monday the 19th, the prisoners were brought up to receive judgment. They entered no plea in mitigation of punishment, but rather deprecated mercy. The sentence of the Court was, that they should be imprisoned in the common gaol for the term of two years; that at the expiration of that period they should find sureties for two years, themselves in L.500 each, and two sureties in L.100 each; and that they should be imprisoned till such sureties were found.

TRIALS FOR LIBEL.

WARD v. CLEMENT.

*Court of King's Bench, Saturday,
January 16.*

THIS was an action for a libel brought against the proprietor of the *Observer* newspaper. The libel complained of appeared in November 1817, in the Monday impression of that paper, and was as follows:—

“*Derbyshire Insurrection.*— We shall proceed to give our readers a more authentic, as well as a more minute account of the rise and progress of the insurrection, connected as it was with almost all the manufacturing towns in the kingdom, than has hitherto been published; from whence the public will be enabled to form a correct estimate of the real character of the danger by which the country was threatened, and the absolute necessity which was imposed upon the Minister of the Home Department to determine upon the appointment of the Commission at Derby. The sources of our authority, though extended over a considerable part of the disturbed counties, are highly respectable, and we can pledge ourselves for the correctness of every fact that we state.”

“The 27th May, Birkin accompanied Oliver to Nottingham, and introduced him to the secret of the Committee assembled there, among whom were Haynes, Holmes, Grosvenor, Henson and Frank Ward.”

Again, “It is a singular fact, and may here be stated, that at the exc-

cution of the Luddites, who were tried at the Spring Assizes, the unhappy men confessed that a plan had been formed for insurrection and rebellion, and that old Ned (meaning Ned Lud) was to command. Some of the most desperate of these had been pointed out to storm the barracks, and perform other dangerous duties. Frank Ward, Grosvenor, Henson and Haynes were all appointed to command, and had proceeded to their several stations.”

• The damages were laid at L. 5,000.

Mr Scarlett stated the case to the jury. He should, he said, shew a claim to a verdict upon the great principles of the constitution, and only touch incidentally upon other points which so naturally suggested themselves in a case where so much personal injury had been sustained. The plaintiff was now a ruined man. He had commenced life in a humble way in the town of Nottingham, as a journeyman manufacturer of lace, and by his integrity and industry became much respected. In a few years he found that the fruits of those habits for which he was remarkable enabled him to employ others. He became a master, and added to the favourable impression of his character by creditably supporting an aged mother, and a wife and children, to whose society he devoted himself. His anxiety for the prosperity of those whose avocations resembled his own, induced him to become a member of a society for assessing the price of work; and such

was the idea entertained of his integrity and worth, that the members elected him their treasurer, a situation which he filled to the satisfaction of all. At that unfortunate period of distress among the journeymen, the humanity of the plaintiff was discovered; for it was found that he had not kept pace with the more opulent manufacturers in reducing the wages of the workmen. The consequence of this conduct was the rallying round him of numbers of workmen, and the jealousy of those who had acted upon a more interested system. At length, those dissensions with which several parts of the country were agitated, broke out in a formidable shape; and here the propriety of the plaintiff's general conduct was exhibited. He exerted himself to the utmost to check the progress of those unhappy ebullitions. Government thought it necessary to interfere; for outrages were committed, which required the interposition of a stronger authority than that of individuals. Several of those who were presumed to have been implicated were apprehended; and as it was supposed that some might have been improperly suspected, a subscription was set on foot to obtain for the accused the advantages of an able defence—a thing the more necessary as, under such circumstances, a difficulty might arise in procuring an unbiassed jury. The subscription was made in the most open manner, and none of those who subscribed laboured under the slightest imputation of disloyalty for the part they had taken. The plaintiff was applied to, to receive the subscriptions. He refused; but on being pressed consented to perform the office, and acted in his new capacity to the satisfaction of all. It was worthy of remark, that of all who had been accused but one was convict-

ed,—a proof that the plaintiff was justified in his opinion, and that his conduct was deserving of no reprehension. He, however, became an object of suspicion; and on the suspension of Habeas Corpus, his house was, on the 10th of June 1817, entered by ten or twelve constables, who, without a warrant, proceeded to search it from top to bottom. Indignant at the insult, he determined to complain to those from whom he expected redress; and by the advice of a professional gentleman, applied to the magistrates for an explanation. He was indeed advised to forbear; but he felt his own independence, and, with a boldness inspired by conscious integrity, persevered in demanding the cause of such wanton persecution. The event was such as might be imagined. The plaintiff was committed to prison. He asked for bread, and they gave him a stone. Soon after a warrant came down for his removal from Nottingham, and he was conducted to Coldbath-fields prison, ironed and chained. From Coldbath-fields he was removed to the county gaol of Oxford, where he remained till the 13th of November following, when he was released. But he returned with a broken spirit, to a mother reduced to extrememisery, and to a wife broken-hearted. His conscience was, however, void of offence, and he looked forward to increased industry for the means of diminishing the calamities into which he had been plunged. The jury would be surprised, that what had been kept a secret from the plaintiff was published to all England by the Editor of a Newspaper, which assumed to derive its authority from a source of unquestionable truth. The Learned Counsel believed upon his soul, that his client was wholly innocent of the crimes with which he was thus charged. He was not a

member of any political society, nor did he take part in the politics of the day. He lived retired with his family. He never saw Oliver, nor did he know, except from rumour, that such a person existed. When he returned to Nottingham, he expected that his former good character would remove any bad impression that might have been made by the disgrace of imprisonment, and that a future investigation would prove that he had been persecuted. What then must have been his feelings, in finding the paper now in Court containing an attack upon him, which had been circulated while he was in prison, an attack calculated to poison the mind of every one in whose ear the name of Ward was sounded, and published with such an appearance of authenticity as to render disbelief of all its circumstances impossible? What would the jury think upon hearing it proved that a considerable number of papers, each with a blank side and without any stamp, were issued from the *Observer* Office, on Monday, the 10th of November, professing to give an accurate history of the disturbances, and of all those scenes which led to the suspension of Habeas Corpus, as if the *Observer* had been made the official organ of Government? Was not this calculated to affect the tribunals of justice, and distort public opinion? Under what colour had Mr Clement presumed to publish this calumny, and to insinuate that he had authority not to be shaken for his assertion? The Learned Counsel considered the *Observer* a respectable paper, but that respectability rendered it more formidable where character was attacked. It was worthy of observation, that this paper, which was published on the Monday, did not contain in its Sunday edition a tittle of the article which was the subject

of the present action; and that the paper he held in his hand was gratuitously circulated through all parts of the country without a stamp, and under the pretence of being a specimen of the type. Mr Scarlett read parts of the libel, and asked why Mr Clement had not come forward with his boasted proofs, that he was justified in his statements? The article traced down a detailed series of circumstances upon a regular system. It was in fact a Government manifesto. The plaintiff was described as gradually advancing in sedition, until he was yested with command, and actually about to perform an act of treason by storming the barracks. He was convicted by the *Observer* of being connected with Oliver; of being one of the desperate *Ned Luds*; of making war against the King and his Government; and of taking his station among the decided enemies of his country. All this was attributed to a man who was wholly unconnected with political matters, and who was deprived of all means of remedy, except that of daring his accuser to bring forward his authority, a defiance from which Mr Clement shrunk. If this question were viewed abstracted from all political considerations, what would be the opinion of its merits merely with reference to that Constitution, by which England had acquired such a high degree of political glory? The personal liberty of an Englishman was his chartered privilege; and if the Habeas Corpus Act was at any time suspended in consequence of real or supposed danger, it was a season of calamity: those who were exposed to it were left to the discretion of Ministers, and also subject to the operation of private malignity. In such an extremity, it became all good men to pity those who were dragged from their houses and inf-

mured in a prison, without the opportunity of justification. It became every good man to look with great jealousy to the power thus added to the authority of Ministers, as well as to regret the necessity that for a time destroyed the right, which the immortal Blackstone had described as the unailing security of the British Constitution. But what had Mr Clement done? While the unhappy plaintiff was within the walls of a prison, in expectation of being brought face to face with his accusers; while Government thought it necessary to detain him there from a presumed necessity, Mr Clement had the audacity, the inhumanity, to publish against the helpless and abandoned man, a calumny of the most effective kind; which no one could read without believing the whole matter had been fully investigated, and the assertion of Ward's guilt bottomed on irresistible authority? If Ward was to be tried, why prejudice the jury against him; and if not, why fix on him for ever the stigma which his imprisonment had already in some degree given rise to? This was what the plaintiff had to complain of. The learned and ingenious counsel for Mr Clement might attempt to protect his client by general observations on the liberty of the press. He (Mr Scarlett) would tell the jury what he thought of the liberty of the press. He considered the liberty of the press, and the Habeas Corpus Act, and trial by jury, as sacred parts of the Constitution. The people of England had enjoyed the liberty of the press since the Revolution; and God forbid they should ever lose it. The liberty of the press meant, that all might think as they pleased, and publish what they thought without controul. But that liberty was incompatible with the power to destroy private character.

If that were the definition of the liberty of the press, it would be a despotism under which no man could live. This sacred power had been abused by Mr Clement, who wielded the mighty engine that gave and took away character. The person pleaded for was a man of an honest, temperate life, who had been several months a captive without guilt. Against this object was the authority of the press exercised, against him were the minds of the people poisoned, by the sting of this publication, which represented him as a man capable of treason, spoil, and revolution. Why should this be added to the stock of calamity of him who had been snatched from his family, with whom he had enjoyed the sweets of his industry too dearly to think of disturbing the land in which his labours had been rewarded? With respect to the damages, it was only necessary to say, that the plaintiff had been traduced when he had no means of vindicating himself, and that the injury had gone into extended circulation by the industry of him to whom he owed this outrage upon his feelings.

The following evidence was then called:—

Ann Ward, daughter of the plaintiff, remembered the constables coming to her father's house on the 10th of June 1817, and searching it; but they did not take any thing away. They remained nearly an hour, and when they retired her father followed them. This was on Tuesday; and she did not see her father again till she saw him in prison on the Saturday following. He did not return to his family till the middle of November following.

Mr Payne, solicitor at Nottingham, met the plaintiff on the street on the night in question. He appeared agitated on account of the

outrage committed against him, and requested witness's advice how he should act. Witness desired him to go to the magistrates of the place, and demand to see the warrant under which the officers had acted.

Cross-examined by Mr Gurney. — In this conversation with the plaintiff, nothing was mentioned about plaintiff's having associated with other persons who were suspected. Witness could not exactly say how far Ward had the misfortune to have incurred suspicion; but he believed some suspicion had been excited against him from his having employed the attorney who conducted the defence of the Luddites, executed the preceding assize at Leicester.

The witness proceeded. — There was a case reserved for the opinion of the twelve Judges, as to the guilt or innocence of certain individuals, and upon that occasion the plaintiff requested the solicitor for these prisoners to employ counsel to defend them. There was no imputation upon him. It was true he was treasurer for a subscription which had been entered into for the purpose of relieving the prisoners during their confinement; but whatever suspicion might be entertained against him on that account, witness had no suspicion of his being either engaged himself, or connected with any treasonable practices. Witness was himself a member of the Pitt Club, at Nottingham, and of ministerial principles; consequently the plaintiff would not have employed him, if tainted with treasonable practices. It was by witness's advice he went to demand of the magistrates the reason why his house had been forcibly entered.

John Holmes is a lace maker at Nottingham; he knew Oliver there in June 1817; witness was apprehended and sent to Coldbath-fields

prison. Ward, the plaintiff, was in prison at Nottingham at the same time as witness, and he saw him (Ward) ironed to a man of the name of Haynes, when they were all brought to Coldbath-fields prison together.

William Cliffe gave evidence to the same effect.

George Goodger is deputy publisher of the *Observer*. The sale of the paper is very great. Its sale on Sunday, the 9th of November 1817, was 10,350, and the Monday edition 2,000, exclusive of the unstamped ones, of which he knew nothing. He could not form any idea how they were sent out unstamped, they not having passed through his hands. The *Monday Observer* had twice, when public interest was excited, after the regular publication, published an additional impression upon unstamped sheets with a blank leaf, in the way of the one produced.

Robert Webster is a letter-carrier at Derby. On Monday, the 10th of November 1817, he received a great quantity of the *Observer* Newspapers. They were delivered to him by Mrs Eaton, the wife of the gaoler at Derby, who desired him to distribute them gratuitously. He delivered them to the lawyers, the doctors, and the gentlemen of the town.

Thomas Cook is a letter-carrier at Leicester. He received a quantity of *Monday Observers* in November 1817; he thought as many as 200. He received them at the Post Office, with his letters; and thought it was not usual to receive them in that way. He was desired to distribute them gratuitously, and did so accordingly. Another letter-carrier in Leicester received the like quantity of *Monday Observers* to distribute in the same way.

This closed the evidence for the plaintiff.

Mr Adolphus took several objections on account of inaccuracy, but they were over-ruled by the Court.

Mr Gurney then rose to address the jury in defence. He heartily concurred in the observation of his learned friend, that political feeling ought not to enter into discussions at the bar; at the same time he could not help observing that his learned friend's practice little accorded with his profession. If any person had only heard three-fourths, or four-fifths of his learned friend's very eloquent speech, he must have imagined that this was not an action against Mr Clement, the proprietor of the *Observer* Newspaper, but an action against the Secretary of State for illegally imprisoning, and cruelly oppressing the plaintiff. In truth, he (Mr Gurney) believed that the statement which his learned friend was instructed to make was much more the object of this action than any damages which the plaintiff could affect to have sustained, or could hope to get at the hands of the defendant. It would, to be sure, be extremely hard if the plaintiff could not give himself the most excellent of all characters; and it was to be recollected that the character which his learned friend had given the plaintiff was the character which the latter had chosen to give of himself: for his learned friend, he believed, knew as little of Frank Ward as he did of any other man whom he had never seen before. His learned friend, however, in the course of his address, had let out some things that were rather extraordinary—some things a little inconsistent with what every man knew as matter of history—some things which would excite in one's mind a suspicion that the plaintiff really could not have sustained any injury or damage from this publication. His learned friend would represent to the jury, that the shocking outrages which were committed in the neighbourhood of Nottingham, which called for the interference of the Legislature, and which produced in that district a reign of terror, arose from the oppression and cruelty of the masters towards their journeymen; and that Mr Ward, recollecting that he had once himself been a poor journeyman, would not treat those persons in the oppressive manner in which they had been treated by other masters. This representation of his friend's was not quite true; but whatever was the cause of those disturbances, it was foreign to the matter before the jury. His learned friend, however, who disclaimed all idea of introducing any political discussions, thought proper to pursue the very course he disclaimed; but he (Mr Gurney) should not follow the example of his learned friend in this respect. He was not here to consider the wisdom of the law passed on that occasion; he was merely to assist in the administration of the law. He (Mr Gurney) would yield to no man, not even to his learned friend, in his attachment to the constitution of his country; he would not yield to his learned friend in his reverence for the Habeas Corpus Act, which had been called the Palladium of English liberty. But if the Legislature should think proper to suspend that act, so far as regarded treasonable practices, he (Mr Gurney) begged leave to state, that the condition of the subjects of this country was infinitely removed from that his learned friend had described. The greatest part of his learned friend's speech was addressed to this point, namely, that Mr Ward, who, when he ceased to be sure of the approbation, and ceased to be an object of confidence with one set of persons, had

become an object of distrust and suspicion with all; that Mr Ward was arrested under a charge of treasonable practices, and confined from the 10th of June till the 13th of November; and that every possible attempt was made to excite unfavourable feelings respecting him. But surely if Mr Ward's imprisonment were the act of the executive authority, and if the defendant were ignorant of the object of it, not one word said upon this subject could be applicable to the case of Mr Clement, who could have nothing to do with the plaintiff's imprisonment. If the defendant had nothing to do with that act, surely the introduction of such a topic could only be for the purpose of exciting an undue impression against him. His learned friend had stated that the plaintiff had been ground down and oppressed. The jury were not to assume that merely on the statement of his learned friend, who had also said that the plaintiff was deprived of the means of seeking redress, in consequence of the passing of an act of indemnity. It was true the Legislature had passed an act of indemnity; and amongst other reasons assigned for that measure were, first, because it was notorious that a treasonable conspiracy had existed in the country; and next, that it would not be fit or proper that the lives of those who had given information of such conspiracy should be put in hazard from the malice of their enemies, were their names published abroad. But these considerations had nothing to do with the question now before the Court, which simply and solely was, what injury the plaintiff had sustained from the defendant? This was the single question for the consideration of the jury. Did they believe that the plaintiff had sustained any injury from this publication?

Did they believe that those who thought ill of him before, would think worse of him for the article which had appeared in the *Observer*? Did they believe that those who thought well of him before, would think the worse of him by reading the supposed libel? If they did not, why then what injury could this plaintiff have sustained, which would entitle him to call upon the jury for any amount of damages against the defendant? But there was one feature in this case which would at once decide the point for their consideration. The plaintiff stated, in his declaration, that he had deservedly acquired the good opinion of his fellow subjects; and that for the purpose of bringing him into public scandal, infamy, and disgrace, the libel in question was published; and it concluded by alleging that divers of his neighbours had thought the worst of him on that account. If this were the case, why did he not bring his action amongst his neighbours? Why did not he who lived in Nottingham, and who told the jury that he had lost the good opinion and high estimation of his neighbours, in consequence of this publication, try this case where his character and conduct were best known, amongst those neighbours whose estimation he averred he had lost by this libel? He (Mr Garney) must say, that the conduct of the plaintiff, in bringing his action 120 miles from Nottingham, in a place where he was utterly unknown, was the clearest and most decisive proof he had suffered no damage whatever. Nothing was more clear than that a man who complained of being injured, in the estimation of his neighbours, and had in fact suffered that injury, would bring his action among those neighbours, instead of waiting for a considerable length of time, and after

bringing it before a jury by whom he was unknown; when, in fact, he might have tried his case at Nottingham either in March or July last. Such conduct on the part of the defendant was decisive judgment against himself. Admitting, however, that the plaintiff was entitled to a verdict, the only remaining question was the amount of damages. The defendant had put no justification on the record, and therefore he had not aggravated the supposed cause of offence. The jury should recollect, that the amount of damages they should give must be measured by the amount of the injury; and he who did not bring his action, and try his case where he affected to have received the injury, and where the injury could have been best estimated, gave the strongest judgment against himself that the injury had been little or none.

The Chief-Justice, in charging the jury, said, no man could doubt that the matter contained in the alleged libel was calculated to injure the character of the plaintiff, and as no attempt had been made to justify it, the necessary consequence was, that it must be taken to be untrue. Several topics had been addressed to the jury, on the one side and on the other, which, in his Lordship's humble judgment, could in no way be involved in the case. This court had nothing to do with the policy or impolicy of the Legislature suspending the Habeas Corpus Act; whether the long detail of matters contained in the libel was true or untrue had nothing to do with the question which the jury were to try, the only consideration being the damage which the plaintiff had sustained by having his name coupled with the disgraceful and highly criminal acts detailed in the libel. It appeared that this statement was pub-

lished at the time the plaintiff was in confinement upon charges for which he was likely to be brought to trial; and certainly such a publication was calculated to prejudice the minds of those by whom he would probably have been tried, had the proceedings gone further. Nothing was more improper than publications tending to prejudice the cases of persons merely committed on suspicion of offences, because nothing was more likely to affect the interests of public justice. It had been very properly observed, that the plaintiff had declined to bring his action at Nottingham, where his character might be supposed to be best known; and the jury would take that circumstance into consideration in estimating the damages; and in doing so they would exercise that temper and discretion which the due administration of justice required.

The jury retired for about half an hour, and returned a verdict for the plaintiff.—Damages L.600.

Spring Assizes, Lancaster, April.

PRIVATE LIBEL.

Mr J. Edward Taylor, a respectable cotton-broker of Manchester, was indicted by Mr J. Greenwood, boroughreeve of Salford, for having libelled his character, in writing him a letter in which the terms *liar*, *slanderer*, and *scoundrel*, were applied to him.

Mr Scarlett having stated to the jury the malignity of the offence,

Mr Taylor rose (being attended by his attorney,) and delivered a speech to the jury, in which he protested against the mode of conducting criminal prosecutions in cases of libel, charged the jury to make themselves judges both of the law and the fact, and proved the fol-

lowing facts in justification of the epithets applied to Greenwood: In July last a public meeting was called in Salford, for the purpose of choosing four assessors, and Mr Taylor's name was one of the number. When his name was called over, Greenwood said, "I think I heard some one object to Taylor." Some person then said, "Who is Taylor?" To whom Greenwood replied, "O, one of those reformers who go about the country making long speeches;" adding, "I understand he was the author of a hand-bill in 1812, headed '*Now or never*,' which caused the mob to set fire to the Exchange." In consequence of this assertion Mr Taylor's name was struck off the list, and another substituted in its place. In a day or two Mr Taylor heard of the calumny Greenwood had thrown upon him, and sent a polite note, requesting to know his authority for the statement he had made. To this note no reply was sent. A second met the same fate; when Taylor thought proper to cause a respectable friend to wait on Greenwood, and demand an explanation. This friend, Greenwood thought proper to insult, by advising him to mind his own business, and not to interfere in politics; treated Taylor's name with great disrespect; said he wished to have nothing to do with him; and added, "You may tell him what you like." These circumstances led Taylor to write and tell Greenwood, that, as he refused to give his authority for having used such expressions, he should consider him the author of the calumny; that he was "a liar, a slanderer, and a scoundrel;" and that he should take the earliest opportunity of tell-

ing him so personally. In his defence Mr Taylor took an opportunity of ridiculing the *technicals* of the indictment, which charged him with being of a wicked, malicious, and evil disposition, and apologised to the bar for invading their province.

Mr Scarlett, in his reply, delivered an address to the gentlemen of the robe, something in the manner of the silversmith of Ephesus, and stated that their craft was in danger. He reminded the defendant of his temerity, and said, if he had employed any of the learned gentlemen around him, it would have saved much time to the Court. They would have prayed for a mitigation of punishment, and the sentence would have been so much more lenient than it could possibly be expected now, seeing the defendant had indulged in new and reiterated calumnies against the prosecutors.

Baron Wood, in summing up, told the jury he thought Greenwood's advice to Mr Taylor's friend respecting politics very seasonable; that he did not know whether Taylor did go about making long speeches, but that he had made one there that day long enough; that it was the regular course for such defendants as this to go to London to receive sentence; and if they had any recommendation to make when they delivered their verdict, it would be considered in mitigation of punishment, when sentence came to be passed upon him.

The jury retired, and were confined during eleven hours and five minutes without fire, candle, or food. At length they were escorted to the Judge's bed-room, where they delivered their verdict of *Not Guilty*.

*Court of King's Bench, Adjourned
Sittings at Guildhall, Tuesday,
October 12.*

BLASPHEMOUS LIBEL.

THE KING v. RICHARD CARLILE.

Guildhall, and all the avenues leading to it, were this morning crowded to excess with individuals anxious to obtain admission to hear the trial of the defendant for the republication of Paine's *Age of Reason*. The sheriffs made every possible preparation to prevent the confusion usually resulting from so numerous an assemblage. The City Marshals were directed by the Lord Mayor to be in attendance, with a body of constables to aid in preserving order, and every other necessary precaution was adopted. Within the Hall, and in the immediate avenues of the Court, barriers and strong railings were erected to counteract the effects of strong pressure, and hatches were constructed, which precluded the admission of more than one person at a time. Across that part of the Court which is usually appropriated to the public, two strong beams were introduced, within about six feet of each other; so that the inconvenience which would have resulted from the influx of the crowd was completely obviated. In order to give the gentlemen connected with the public press those facilities which are so essential to the performance of their duties, the Sheriffs had given directions that they should be admitted, at an early hour, by a back entrance; and they remained in a private room till the arrival of the officers of the Court, by whom they were afforded every accommodation consistent with the size of the building.

About nine o'clock Mr Sheriff

Parkins ordered the public door of the Court to be opened. The rush was tremendous; but from the prudent precautions which had been taken, the Court was immediately filled without any accident.

The following is an abstract of the several counts of the indictment, charging the defender with the publication of several impious and blasphemous libels against the Christian religion.

The first count charged, "that Richard Carlile, late of London, bookseller, being a wicked, impious, and ill-disposed person, &c. did, on the 17th of December, and in the 59th year of the reign of our present Sovereign Lord George the Third, &c. print and publish a certain scandalous, impious, and blasphemous libel, of and concerning that part of the Holy Bible which is called the Old Testament, according to the tenor and effect following, that is to say, "Whenever we read the obscene stories, the voluptuous debaucheries, the cruel and torturous executions, and the unrelenting vindictiveness with which more than half the Bible," (meaning the Old Testament,) "is filled, it would be more consistent that we called it the word of a Demon than the word of God. It is a history of wickedness, that has served to corrupt and brutalise mankind."

The second and other counts charged the publication of several libels, which they respectively set forth in similar terms. "Did the book called the Bible," (meaning the Old Testament,) "excel in purity of ideas and expression, all the books that are now extant in the world, I would not take it for my rule of faith as being the word of God, because the possibility would, nevertheless, exist of my being imposed upon; but when I see throughout the greater part of this book.

scarcely any thing but a history of the grossest vices, and a collection of the most paltry and contemptible tales, I cannot dishonour my Creator by calling it by his name."

Third count.—"To charge the commission of acts upon the Almighty, which in their own nature, and by every rule of moral justice, are crimes, as all assassination is, and more especially the assassination of infants, is matter of serious concern. The Bible tells us that those assassinations were done by the express command of God. To believe, therefore, the Bible to be true, we must unbelieve all our belief in the moral justice of God; for wherein could crying or smiling infants offend? And to read the Bible without horror, we must undo every thing that is tender, sympathising, and benevolent in the heart of man. Speaking for myself, if I had no other evidence that the Bible is fabulous than the sacrifice I must make to believe it to be true, that alone would be sufficient to determine my choice."

Fourth count.—"It," (meaning the Old Testament,) "is a book of lies, wickedness, and blasphemy."

Fifth count.—"As it is nothing extraordinary, that a woman should be with child before she is married, and that the son she might bring forth should be executed, even unjustly, I see no reason for not believing that such a woman as Mary," (meaning the blessed Virgin Mary,) "and such men as Joseph and Jesus," (meaning our Saviour Jesus Christ,) "existed; their mere existence is a matter of indifference, about which there is no ground to believe or disbelieve, and which comes under the common head of—It may be so, and what then? The probability, however, is, that there were such persons, or at least such as resembled

them in part of the circumstances, because almost all romantic stories have been suggested by some actual circumstances—as the adventures of Robinson Crusoe, not a word of which is true, were suggested by the case of Alexander Selkirk. It is not then the existence, or non-existence of the persons that I trouble myself about. It is the fable of Jesus Christ, as told in the New Testament, and the wild and visionary doctrine raised thereon, against which I contend. The story, taking it as it is told, is blasphemously obscene. It gives an account of a young woman engaged to be married; and while under this engagement she is debauched by a ghost, under the impious pretence, (Luke, chap. i. ver. 35.,) that the Holy Ghost shall come upon thee, and the power of the Highest shall overshadow thee."

Sixth count.—"What is it the Testament," (meaning the New Testament) "teaches us? To believe that the Almighty committed debauchery with a woman engaged to be married! And the belief in this debauchery is called Faith!"

Seventh count.—"But the case is, that people have been so long in the habit of reading the books called the Bible," (meaning the Old Testament,) "and Testament," (meaning the New Testament,) "with their eyes shut, and their senses locked up, that the most stupid inconsistencies have passed on them for truth, and imposition for prophecy. The all-wise Creator hath been dishonoured by being made the author of fable, and the human mind degraded by believing it. I forbear making any remark on this abominable imposition of Matthew; the thing glaringly speaks for itself; it is priests and commentators that I ought rather to censure for having preached falsehoods so long, and kept people in

darkness with respect to those impositions. I have now, reader, gone through and examined all the passages which the four Books of Matthew, Mark, Luke and John quote from the Old Testament, and call prophecies of Jesus Christ. When I first sat down to this examination, I expected to find cause for some censure; but little did I expect to find them so utterly destitute of truth, and of all pretensions to it, as I have shewn them to be. The practice which the writers of those books employ is not more false than it is absurd. They state some trifling case of the person they call Jesus Christ, and then cut out a sentence from some passage of the Old Testament, and call it a prophecy of that case. But when the words thus cut out are restored to the place they are taken from, and read with the words before and after them, they give the lie to the New Testament. "These repeated forgeries and falsifications create a well-founded suspicion, that all the cases spoken of concerning the person called Jesus Christ are made cases on purpose to lug in, and that very clumsily, some broken sentences from the Old Testament, and apply them as prophecies of those cases; and that so far from his being the Son of God, he did not exist even as a man; that he is merely an imaginary, or allegorical character, as Apollo, Hercules, Jupiter, and all the deities of antiquity were. There is no history written at the time Jesus Christ is said to have lived that speaks of the existence of such a person even as man. Did we find in any other book, pretending to give a system of religion, the falsehoods, falsifications, contradictions, and absurdities, which are to be met with in almost every page of the Old and New Testament, all the priests of the present day, who sup-

posed themselves capable, would triumphantly shew their skill in criticism, and cry it down as a glaring imposition; but since the books in question belong to their own trade and profession, they, or at least many of them, seek to stifle every inquiry into them, and abuse those who have the honesty and courage to do it." "Now, had the news of salvation by Jesus Christ been inscribed on the face of the Sun and Moon in characters that all nations would have understood, the whole earth had known it in twenty-four hours, and all nations would have believed it. Whereas, though it is almost 2,000 years since, as they tell us, Christ came upon earth, not a twentieth part of the people of the earth know any thing of it; and of those who do, the wisest part do not believe it." "The story of Jesus Christ has not one trait, either in its character or in the means employed, that bears the least resemblance to the power and wisdom of God, as demonstrated in the Creation of the Universe. All the means are human means, slow, uncertain, and inadequate to the accomplishment of the end proposed, and therefore the whole is a fabulous invention and undeserving of credit. I will define what it is: he that believes in the story of Christ is an infidel to God."

The eighth and ninth counts merely repeat the above blasphemies.

Tenth count.—"For my own part, I do not believe there is one word of historical truth in the whole book," (meaning the New Testament.) "I look upon it at best to be a romance, the principal personage of which is an imaginary, or allegorical character, founded upon some tale, and in which the moral is in many parts good, and the narrative part very badly and blunderingly written."

To this information the defendant pleaded *Not Guilty*.

At 25 minutes after nine the Attorney-General, the Solicitor-General, Mr Gurney, and Mr Littledale, the Counsel for the Crown, arrived, and took their seats.

At half past nine the Lord Chief-Justice took his seat on the Bench.

The cause of "The King against Carlile" was then called on.

After this Mr Bellamy proceeded to call over the jury, when only eight special jurymen answered to their names. They were as follow:—Charles Wood, Robert Hutchinson, John Hanson, George Harvey, A. C. Allen, John Wilson, Richard Chambers, and William Parker, Esquires.

Four talesmen were then drawn, whose names were, Robert Plant, George Coutts, John Triggy, and Matthew Hollyer.

As the jury were about to be sworn, Mr Carlile rose and objected to the competency of the Court to try the charge now brought forward against him. He was not aware of any law on which the present prosecution could be maintained.

The Chief-Justice observed, that the Court was certainly competent to try any information exhibited by his Majesty's Attorney-General. If the prosecution were unfounded in law, that would be an important argument to the defence.

Mr Carlile.—I protest against the procedure.

Mr Campbell shortly opened the pleadings.

The Attorney-General then rose, and commenced by observing, that it afforded him great satisfaction to reflect, that, on this occasion, he should not have to encounter those prejudices, which sometimes were very naturally excited in the minds of Englishmen, from jealousy of all in-

terference with the liberty of the press, and freedom of discussion; because he was confident, that if the jury were not already acquainted with the charge (as possibly some of them might be unacquainted with it,) when it had been plainly stated, accompanied by the few observations that he had to make, the warmest friend to the liberty of the press

would be convinced that he (the Attorney-General) would have failed in his duty had he abstained from bringing forward the present prosecution. It had long been the boast of the people of this country, that they live under the most benign religion that had ever been known to mankind. It must necessarily be so,

as it was a religion emanating from the Deity himself. The Christian religion was part of the law of the land. When, therefore, the defendant contended, that the present information was founded on no law, he laboured under one of the greatest mistakes into which a man had ever fallen. Fortunate, indeed, would it be for him were there no law under which an offence like that with which he was charged could be punished, as in that case he might hope for an acquittal. This must be his only reliance; for in no other case could he hope the verdict of a jury would be favourable to him. It would be idle for him, after the oaths taken by the jury, to declaim on the excellence of that religion which formed part of the Constitution of this country.

They were sitting there under the sanction of that religion, which had been reviled and defamed by this publication of the defendant. They lived under it, and by their oaths had pledged themselves to its veracity. It was for them to determine in their own hearts, whether that religion, which formed the ground-work of our civil, as well as of our other institu-

tions, and under the sanction of which justice was administered, was to be treated as a fable and an imposture. A few words might here be necessary as to the principle of Christianity being a part of the law of the land. That it was, appeared unquestionable; and indeed if the jury were not already satisfied upon that point, what security was there that they would return an honest and impartial verdict? In such a case he might almost say that they would commit perjury; for by their oaths they had professed that it was on Christianity they rested their hopes of happiness here and hereafter. Unless therefore the defendant could wipe away that oath, he could have little hope of a decision favourable to him: he would almost say, that unless they could be purged from that solemn obligation, it would be impossible for him to be acquitted of the offence laid to his charge. He would now state, that which was well known to his Lordship, as at the proper time he would state to them, that to revile, with a view to bring into contempt, the Christian Religion, was contrary to the Common Law of the land. It was also an offence against various statutes. He should, therefore, find no difficulty in showing, that that with which the defendant was charged must always be regarded as a criminal offence, for which the party committing it is liable to punishment. The first case to which he would call their attention occurred in the time of King Charles II., and was tried before Sir Matthew Hale. It was an information against a person of the name of Taylor, for merely uttering blasphemous expressions. He would not disgust the jury by repeating the whole words he had uttered, as they were horrible to hear, though not worse than those which had been published by the present defendant.

Taylor, it was proved, had called religion a cheat, and declared that he feared neither God, nor Devil. Being on his trial, he owned the words, and endeavoured to show that part of them had been uttered with a meaning different from that which had been supposed to attach to them. The judge decided, that to say that religion was a cheat, was not only an offence against religion, but also an offence against the law, as it went to dissolve all those obligations which held society together. This was the decision of Sir Matthew Hale, who said, that to revile the Christian religion was "not only an offence against God, but also against the law of the State, and the Government of the Realm." Taylor was convicted, and received the punishment he deserved. If necessary, parliamentary enactments might be adduced to show that the Legislature had always considered it in the same light; and that at every period of our history, persons so charged were liable to answer in a court of criminal judicature. The next case was that of Woolston in the reign of George II. This person was prosecuted for writing against the miracles. On moving an arrest of judgment, the defendant again attempted to impugn the belief professed by all Christians. The Court, however, would not tolerate it, and observed, that although it would not take notice of the discussions of learned men on particular points, it was forbidden to make a general attack on the Christian religion. In this case also conviction followed. He might refer to what took place at a later period, when one Williams had sent forth the same infamous and blasphemous publication which was the subject of the present prosecution. On that occasion the defendant was prosecuted by an advocate who had ever

been distinguished among the friends of free discussion and the liberty of the press, the present Lord Erskine. On that occasion the defendant was convicted, after an attempt to defend the publication. In 1812 a person of the name of Eaton disseminated the same doctrines. He was tried before Lord Ellenborough; but was it held by the learned persons engaged on that occasion, that to revile the Christian religion was not contrary to the law of the land? No such a doctrine obtained there; and successive juries and successive courts had found, successive defendants guilty of a serious offence against the laws of their country. The next question was, had the defendant violated the law, in uttering a work filled with the most impious and dangerous doctrines? If it were admitted that the Christian religion was a part of the law of the land, it remained to be shown whether or not the defendant had violated that law by publishing one of the most abominable, disgusting, and wicked attacks on religion that had ever appeared in the world. The first attack had been made on the Old Testament, as the writer knew that throwing discredit on that was the readiest way to bring the New Testament also into discredit. The Attorney-General then read from the first count the part beginning with the words, "Whenever we read," &c. and ending with "brutalizes and corrupt mankind." He would put it to the jury, what their feelings must be if they found such a paper put into the hands of their offspring and domestics. He then read extracts from the second, third, and fourth counts, the last concluding with the assertion that the Bible is a book of lies, wickedness; and blasphemy. This was the conclusion to which the author had arrived. He could not but

anticipate its effect on the jury, and wished he could, consistently with his duty, abstain from the still more shocking blasphemies against the New Testament and against the name of our Saviour. The Learned Gentleman then read from the fifth count the passages beginning with the words, "As it is nothing extraordinary that a woman should be with child," &c., and ending with "the power of the Highest shall overshadow thee." Are we living (said the Attorney-General) in a Christian age? Do we profess a religion at all? Surely it might have been expected that the most sceptical person, that the greatest infidel, would have paused before he wrote such a paragraph. The writer talked of the possibility that the Christian religion might be true. What then must be the feelings of such a man in his last moments, in the contemplation of that possibility, to reflect on what incalculable mischief he might have been the author of, to consider how far the poison of his doctrines had circulated amongst the ignorant and uninquiring? The Learned Gentleman then commented on the remaining counts of the indictment. Assuming Christianity to be the law of the land, he would ask them, if he had not proved that the defendant had offended the law? Had he, or had he not, reviled the Christian religion? This was the question they were called on to decide. He knew that it had been represented, by some persons out of doors, that this was an attempt to prosecute for differences of opinion. This he denied. Christianity, indeed, stood in no need of prosecutions for its support; it stood upon a rock from which no infidelity could remove it. To use the words of Mr Locke, "The religion of the country had God for its author, salvation for

its end, and truth, without any mixture of error, for its subject and matter." This prosecution was not instituted for the purpose of oppressing any particular individual; but for the purpose of preventing the poorer and illiterate classes of society from having their faith sapped, and their minds diverted from those principles of morality which were so powerfully inculcated by the Christian religion. The Gospel had been first preached to the poor, because it offered, amidst all the miseries or privations to which they might be doomed, the best and purest consolation. It was not for him to dictate to the jury the faith which they were to follow. He had stated to them what he apprehended was clearly the law on this subject, namely, that to ridicule Christianity was an offence at common law. That offence was imputed to the defendant in the present indictment. The eyes of the country (he said) were upon them: all the religious, all the moral, all the thinking part of mankind were waiting anxiously their decision in this case. If the defendant had committed an offence, (and that he had, in his estimation, no man alive could entertain a doubt, after hearing the passages which he had read,) he was sure he need not call upon them to be firm in the conscientious discharge of their duty. It only remained for him to prove the case which he had stated, which he should do very shortly, by proving the sale of the book by the defendant. And unless they had made up their minds to treat as nothing the solemn obligation of the oath which they had taken, and to consider Christianity as a fable and a gross imposition, he was satisfied upon the facts, that they would find a verdict against the defendant.

The Solicitor-General now called Mr Griffin Swanson. who, on being

sworn, deposed, that he was clerk to the Solicitors of the Treasury. On the 17th of December last he went to the house of the defendant in Fleet Street. He saw the defendant himself, and asked him for Paine's *Age of Reason*. He delivered it to witness, and charged him for it 10s. 6d. They had very little conversation. Mr Carlile knew witness to be the clerk to the Solicitors to the Treasury, and sent his compliments to Mr Maule; adding, if he would allow him to eat his Christmas dinner at home, he would be prepared to meet him.

Cross-examined by Mr Carlile.—Was there any hesitation on my part to serve you?

Witness.—None at all. You did it rather cheerfully. You asked me if I did not want half a dozen copies. Mr Carlile having admitted, that the passages in the book corresponded with the passages set forth in the information, proceeded to address the jury in his defence to the following effect:—The time had now arrived for him to enter upon his defence, and he did so under a deep impression of the importance of the subject. The question was no other than whether, in this country, the doctrines of any sect were to be considered as infallible, and whether a man should be tolerated in entertaining opinions which experience and reflection had established in his mind. He hoped for the candid and patient attention of the jury; for it was necessary on this occasion to review the history of religious establishments, as well as to examine the validity of religious systems. He was convinced that he should be able to prove that Paine's *Age of Reason* was a work of utility, and moral in its object and its tendency, instead of being a wicked and blasphemous publication, as was falsely stated in the indictment. The Attorney-General had commenced his speech

with a repetition of mere common-places; and as to religion it was a mere parody upon the harangues of all Attorney-Generals who had gone before him. He had talked, as they did, of the liberty of the press; and as they would have done, had charged him with licentiousness: but he denied such a charge. If this were the cause of religion, surely the Deity did not stand in need of the Attorney-General's assistance. The Attorney-General had said that the prosecution was founded on the law of the land; but he had not shown it, nor could he prove it. The very first of the Thirty-nine Articles, it is true, contained the doctrine of the Trinity; but to relieve individuals from prosecution, who did not believe that doctrine, an act of Parliament had been lately passed. Mr Carlile then read the act of Parliament in favour of the Unitarians, and said, that act was in truth nothing else than a repeal of all former acts against holding doctrines at variance with a belief in the Trinity. The Attorney-General had said that Christianity was part of the law of the land. But Deism was also part of the law of the land, and those publishing deistical doctrines were secured by statute from the punishment that might have been inflicted previously to the passing of the act to which he alluded. The jury must be aware that this act of the 53d of the King was passed subsequently to all the cases which had been cited. The only statute recognising blasphemy as an offence was the act of William and Mary, the greater part of which had been formally repealed. He contended that such an offence was in itself undefineable, since it consisted in speaking what some persons might think improperly of the attributes of the Deity. One part indeed of the act of William and Mary was left unre-

pealed, and on this the Learned Gentleman might have brought an information; but the punishment in that case would not equal what it was his disposition to inflict. As to what was said about common law, he confessed he did not understand it: it appeared to him to lie entirely in the breast of the judges. But all law ought to be clearly understood; and when it was written men might learn what they were permitted to do, and what it was incumbent on them to avoid. He challenged the Learned Gentleman to show that there was any written law to authorise the present prosecution. The Attorney-General left it to the judge to make out a case which he was not able to make out for himself; but he called upon the jury to find a verdict of *Guilty*, and declared to them that they were bound by their oaths to do so. If that were the case, where would be the use in giving the name of jury to those who were to decide? Mr Carlile then spoke of Judge Hale, and ridiculed the authority of a man who sentenced two women to be burned for the imaginary crime of witchcraft. In Woolston's case, it appeared that the defendant was not allowed to justify. Woolston contended that the judges were not competent, in point of learning, to try him for his opinions. He was committed to the King's Bench prison, but still continued the publication, encouraged by many who were called divines. In the case of Williams, the original publisher of the *Age of Reason*, Mr Kidd, a barrister, in consequence of what fell from Lord Kenyon, gave up the defence.

The Lord Chief-Justice observed, that according to the account he had received, Lord Kenyon gave Mr Kidd full latitude to proceed according to his own discretion.

Mr Carlile said it was certain that

Mr Kidd did not go into a full defence. Mr Eaton, at the time of his trial, was far advanced in years; and whilst he felt it useless to employ a barrister, was incapable from bodily infirmity to conduct his own defence. The Attorney-General had said that the mischief of this publication arose from its circulation amongst the poorer classes of society. The price of it was half a guinea; and he put it to the Jury, whether in the present general distress of those classes, a book of that price was likely to meet with many purchasers of that description. Yet many copies had been sold since December last, and it would be difficult to find any proof that this sale had corrupted a single mind. The learned gentleman called Paine's work a gross attack. He (Mr Carlile) did not know what religion the Attorney-General might now profess; but he believed he had once professed Unitarianism, which was the religion of his father and his family; and that he had voted for the Act which repealed the penalties to which Unitarians were subjected. The Attorney-General stated that he (the defendant) had incurred the displeasure of Almighty God; but he would ask, who was to judge between him and his Creator? He contended that there was not an immoral passage in the publication for which he was now on his trial. Mr Carlile here handed twelve copies of Paine's *Age of Reason* to the jury. He then proceeded to read the title of the work, and the preface, in which he stated his motives for the publication. His firm conviction was, that the publication of it was essential to the interests and welfare of the country, and that his fellow-citizens were now fully prepared to discuss the subject: indeed, it was only by reading and perusing such works as these, that the minds

of the public could be perfectly enlightened. (Here the defendant commenced his readings from the *Age of Reason*, in which it is unnecessary to follow him. He commented largely on different passages, and ended uniformly by declaring the perfect coincidence of his own opinion with that of Paine.) On coming to the words which form the sixth count of the indictment, Mr Carlile complained of the passage not having been completely quoted. He said he should notice the assertion of the Attorney-General, that Mr Paine in his latter and serious moments must have been a believer in the Christian religion. That assertion was answered by the fact of his having written the first part of his work while he was imprisoned under the government of Robespierre, when he could not look forward with any confident expectation to the continuance of his existence for an hour, but expected every moment to be dragged to the guillotine. On reading that portion of the conclusion of the second part of the *Age of Reason*, which relates to the doctrine of forbearing from vengeance, he could not refrain from introducing an anecdote of the author. In the year 1793, Paine was in company with several persons in a Coffeehouse in Paris. The conversation turned on politics, and he spoke very freely both of the government of this country and of France. An English officer, who took offence at what he said of the British Government, struck him a severe blow without making any observation whatever. The consequence of this rash act might have been fatal to the officer; for a law had passed making it death to strike a Member of the Convention, which Paine then was. The affair caused a disturbance, and the populace entered, and proceeded to

drag away the officer to prison, which would have been to execution; but Thomas Paine interfered and saved him. Having got him out of the hands of the populace, he procured a passport for him, by which he was enabled immediately to leave France. This was a corroboration of the truth of Mr Paine's declaration, that he never returned evil for evil. In this instance he had been rudely assaulted and struck, and yet he generously saved the life of the man from whom he had received the blow. The second part of the *Age of Reason* concludes with some general observations on the "Bible of the Creation," as contrasted with the "Bible of the Church." "Every part of the Bible of Creation, it says, is inexhaustible in texts. Every preacher ought to be a philosopher, every house of devotion a school of science." On concluding this part of the work, the defendant asked, where was the man, who, after hearing such remarks, could say that the writings of Paine had an immoral or mischievous tendency? Let the Attorney-General, (added he,) take the Bible for his text-book, and give me *The Age of Reason* for mine, and let us see which of us will produce the most beneficial effects on society. Yet I am here on my trial for publishing this work. I may be torn from my family by your verdict, (addressing the Jury,) immured in a dungeon where I may be left to rot; and all this for what? for publishing a work which must always excite admiration for its talent, and command approbation for its moral tendency. I say again, let the Attorney-General select his text from the Bible, and me mine from *The Age of Reason*, and I will not shrink from the result of a comparison of our labours. The defendant then went on to read the third part of the work, which is ad-

dressed in the preface, "To the Ministers and Preachers of all denominations of religion." In the course of reading he met with the name of Woolston, and mentioned an anecdote of that philosopher. In walking in the gardens of Hampton Court with Queen Caroline, her Majesty desired him to keep his principles of religion to himself, and not to make such a stir. "Ah!" replied Woolston, "had Luther and the other great men of the Reformation followed that advice, where would have been the Protestant system at this day?" The defendant made no application of this anecdote. He was engaged nearly eleven hours in reading *The Age of Reason*, with the Appendix; yet his voice was clear and distinct to the end. His manner of reading was generally unemphatic and monotonous. The Bench and Jury paid the utmost attention to every thing which he read or delivered.

The Lord Chief-Justice.—Have you much more to say in your defence?

The Defendant.—If my bodily strength would permit, I could go on till Saturday.

The Chief-Justice.—As I would not willingly curtail your defence, if you request me, I shall now adjourn till to-morrow.

Defendant.—I request it, my Lord. After the Jury were admonished by the Chief-Justice not to hold communications with any persons on the subject under trial, the Court was adjourned accordingly.

Carline's Trial for a Blasphemous Libel.—Second day.

About half past nine, the defendant came into Court, and the Chief-Justice having taken his seat a little

after, Mr Carlile pursued his defence. He read an extract from a discourse of Paine's, addressed to the Society of the Theophilanthropists in Paris, in which the writer insists on the folly of that man, who, wishing to know what God was, searched for that information in the Bible. Having finished his reading, accompanied with interjectional comments and remarks, Mr Carlile stated, that the tract in question had been published by the Society, for whom it was intended as a refutation of Atheism, but without the name of Paine. He should next proceed to the examination of the Bible. This was not the only book which was supposed to contain the revealed will of God. The Koran was believed to be of divine origin by millions of mankind.

The Attorney-General objected to the course about to be pursued by the defendant. The only question now to be decided was, whether the defendant had reviled the Christian religion. It was not competent for the jury to try the merits of the Christian faith, and therefore he submitted that it was incompetent for the defendant to go into it.

The Lord Chief-Justice.—You hear the objection.

Mr Carlile remarked, that the charge against him was, that he had published a book describing the Bible as filled with histories of cruel and torturous executions, and obscene statements. He felt it to be his duty to justify himself by referring to those parts of the Bible which contained the stories alluded to. The Attorney-General had forgot that he had an interest in the trial.

The Attorney-General had not forgotten that the defendant was much interested in the result of this trial, but it must be conducted according to the rules by which all

other prosecutions were regulated. He then referred to the case of Williams, indicted for a similar offence, in which Lord Kenyon had reproached himself for allowing the defendant so great latitude in his defence. This latitude had not been allowed in the case of the King v. Woolston. On this precedent he would contend, that it was incompetent for the defendant to pursue the course he was desirous of taking; and if his Lordship concurred with him in this, he would not suffer the further promulgation of the blasphemous doctrines of which the defendant was the advocate.

The Lord Chief-Justice said, that it could be no defence to the charge against the defendant, that he reiterated there the identical calumnies for which he was prosecuted. He should very ill perform his duty as a Judge, or as a Christian, if he were to suffer that Court to be made a theatre, from which new calumnies against the Christian religion might be sent forth to the world. He, therefore, could not allow the defendant to proceed to the inquiry on which he had been about to enter.

Mr Carlile said, his object was to justify the observations which Paine had made both on the Old Testament and on the New; and contended that the present proceedings were not founded on any laws of this country. When Mr Attorney-General alluded to the particular law in this case, he should have been glad that he had stated what it was.

The Lord Chief-Justice.—I will state it to you—the Common Law. The Christian religion is a part of the law of the land, and a most important part too; that part on which all our civil institutions are founded, for all of them have a reference to that religion. The law of England permits every class of Christians to

enjoy their religious opinions, by worshipping the Almighty according to the particular mode of their faith; but allows no man to impugn the Christian religion generally, and treat the Bible as a book full of lies and fables.

Carlile.—I cannot subscribe to this definition.

The Lord Chief-Justice.—Well, Sir, whether you can subscribe to it or not, I state it to be the law of the land, and I am to declare the law here, not you. I cannot suffer the Holy Scriptures to be reviled in my presence. I am willing to hear every thing which you can have to urge in your defence, provided it be that which may be legally offered before me. But I cannot allow a man accused of calumniating the Scriptures to reiterate those revilings with which he is charged, as part of his defence.

Mr Carlile, after persisting that he must go into this inquiry in defence of the character of the work which was the subject of prosecution, stated to the jury, that many books were in existence, supposed to be of divine origin. He then read from the Koran the account given by Mohammed of the manner in which the book was communicated to mankind, and the object of making such a communication. Out of the variety of books said to be of divine origin, how were men to determine which were best entitled to belief, if the freest examination of all of them were not permitted? The Koran contained some fine morality, but much trash was mixed up with it, which spoiled the whole. Paine was not the only man who had written against the Bible. A gentleman high in office, who had been Ambassador from this country to Naples, and who was now a member of the Privy

Council, Sir William Drummond, had written a work, though he had not published it, which made against the Scriptures. Having remarked on the erudition and research of Sir William, he read the preface of his *Edipus Judaicus*, in which the author excused himself for the contracted issue and limited number of copies of his work, on the score of the ill-will and odium which were generally the reward of those who attempted to emancipate mankind from prejudice and error. He then read other extracts, which went to show that, in the author's opinion, the ancient Jews had recorded much of their history in metaphorical language, which had been literally interpreted by modern expounders of the Bible. Some comments on the Bible followed.

The Attorney-General again objected to the course which the defendant was pursuing.

Mr Carlile maintained that he had a right to proceed.

The Lord Chief-Justice could not help feeling his situation one of peculiar difficulty. On the one hand he was anxious to give the defendant every opportunity of defending himself; but, on the other, he could not sit there and hear the Christian religion reviled.

Mr Carlile said his intentions were good; and to prove this, he was disposed to show what had been written on the subject by a person of high character.

The Lord Chief-Justice remarked, that one libel could be no justification of another.

Carlile.—It has not yet been proved to be a libel. It is quite time enough to call it a libel when it is proved to be such.

The Lord Chief-Justice said, he would call it what he pleased. It

would be for the jury to determine the real character of the publication brought before them.

Carlile.—I stand here unassisted. I am quite aware that I have nothing to expect from your Lordship. I see you are all in array against me, but it is necessary for me to defend myself. He then resumed the reading in which he had been interrupted. On coming to a passage which mentioned the deity to have been described in the Bible as living in a box of Shittim wood,

The Attorney-General and Mr Gurney objected to the course pursued.

A good deal of altercation here ensued, in consequence of the defendant persevering in the same line of defence.

Carlile.—I hold in my hand the statute which relieves persons from the consequences of impugning the doctrine of the Trinity; a statute which I submit makes Deism the law of the land.

The Lord Chief-Justice.—It does no such thing; and I will not suffer any man to say so in my presence.

Carlile.—I say it does. I stand here alone. I am the best judge of what is essential to my defence.

The Lord Chief-Justice.—You may be in your own opinion; but I am to judge of what can be legally received.

Mr Carlile was again proceeding to read from the *Edipus Judaicus*, when

The Solicitor-General interposed, and said, the defendant is pursuing the same course.

The Lord Chief-Justice.—I cannot suffer this. I cannot sit here and permit any man to revile and calumniate the Holy Scriptures.

Carlile.—I have no intention to revile; I only intend to examine.

The Lord Chief-Justice.—Exami-

nation does not consist in bold denial, nor in a repetition of the offence, with which you are charged.

Mr Carlile contended in justification, that although the Attorney-General had submitted that it was not competent for his Lordship or the Jury to go into the proposed examination of the Bible, yet he had quite forgotten how necessary it was to his (Carlile's) defence. Having been brought into the court to answer specific charges, he must avail himself of all the means of defence. He had been stated to have published a work describing the Scriptures as replete with obscene stories, voluptuous debaucheries, and cruel and torturous executions. How could he justify himself but by referring them to the Bible, to prove by actual examination whether such were the facts or no?

The Lord Chief-Justice.—I will not sit in this Court to hear the writings of those read who impugn the Holy Scriptures.

Carlile.—For what purpose do these gentlemen (the bar) quote authorities, but to support their opinions? I am doing no more.

The Lord Chief-Justice.—I have told you my determination, and have laid down the rule for your conduct.

Carlile.—I must conduct my defence in my own way.

The Lord Chief-Justice.—Not if it is in opposition to law.

Mr Carlile still persisted in reading, till he was admonished by the Foreman of the Jury, that his reading from the *Edipus Judaicus* was quite unnecessary. He then abandoned the work, with an observation that he believed he had read all that was material. He then took up a copy of the Bible, which appeared to be interleaved with manuscript observations between each leaf, and said, "I shall now go to the Bible;

and I here beg leave to state, that in examining this work, I consider myself entitled to state my own opinions in justification of the libel with which I am charged." He then went on to read the first chapter of Genesis, and to state the contrariety of opinions which had existed, as to the matter therein contained being allegorical or literal. He next entered into an argument to prove the impossibility of any human being, being able to trace the existence of the First Cause, and hence the absurdity of the hypothesis which the historian had attempted to establish. (This last observation again brought him in contact with the Court, and a new scene of altercation took place, similar to those that had preceded it.

The Lord Chief-Justice repeated, that he would hear whatever he had to offer, which was characterized by decorum, but he could not suffer the reviling and calumniating the Christian religion.

Carlile.—I am not disposed to believe the truth of that religion, and I will promulgate my opinions whatever may be the consequences. (Some of the Jury here burst into an expression of indignation.) Mr Carlile then went on to liken his case to that of Galileo, who was imprisoned for asserting a doctrine which was afterwards believed by all the civilized part of mankind. He argued that the Christian religion could not be injured by fair discussion; and that if error was imputable to any person for introducing this subject, that error was to be ascribed to the Attorney-General. All he wanted was the examination of this book (the Bible,) which he publicly denounced a blasphemy towards God!

The Lord Chief-Justice.—I cannot bear this; it is too bad!

Mr Carlile again declared it was

necessary to read some disgusting passages from Sir William Drommond.

The Lord Chief-Justice.—Certainly not.

Mr Carlile would desist, then; and indeed, as there was little more that was interesting in it, he would confine himself to the Bible, that book which he was charged with calumniating. It was only his own defence which could suffer by such a proceeding; and if that should fail, even to be satisfactory to the jury, he trusted they might still find some grounds for believing that he had acted from conviction. It might be prudent for him, perhaps, to state to them, that the society called Christians generally differed greatly among themselves about this account of the creation; (he had just read the first chapter of Genesis, with Paine's remarks on it;) some receiving it as an allegory, others considering it in its literal sense. Among those who held it to be an allegory, had been reckoned some of the first and greatest fathers of the Church, particularly Origen. When he saw men, who called themselves Christians, and rested all their hopes on the authenticity of this book, divided and hesitating about its veracity as to matter of fact, why might not he express a different opinion with regard to them? Moses, he thought, was the author of the books attributed to him, of which Genesis was the first; but that had little to do with the question of their truth. The account which they gave of the beginning of time was either absurd or untrue; absurd, as the beginning of time could not in fact be defined; untrue, as it was there stated.

The Lord Chief-Justice expressed his determination not to allow the line of defence taken by the Defendant, whether he was sensible of the

impropriety of it or not. The Christian religion was part of the law of the land.

Carlile.—But your Lordships must admit there was a time at which Christianity was not the law of the land. There was but one line of defence for him, and in that he must and would proceed.

The Solicitor-General interposed by quoting the statute of William and Mary, against the impugners of Christianity?

Carlile.—Then why did not the Attorney-General ground his information on that statute?

The Lord Chief-Justice.—It was not necessary, Sir. Either course was open to him.

—Mr Carlile, referring to the recent act relative to the Unitarians, here observed, that any man who was a Christian must be shocked at the impugning of the Trinity: Now the Legislature had tolerated those impugners, and that statute defended Deism. If the opinions he had promulgated were wrong, the press should have been had recourse to in order to refute them. This he conceived the proper course to have been adopted.

The Lord Chief-Justice.—This, Sir, is a proper and legitimate line of defence, if you think fit to pursue it.

Mr Carlile, referring to the wording of the information, remarked upon the charge, that his conduct in these publications had been to the “high displeasure of Almighty God,” that this was an act, on the part of the person who drew it up, of gross presumption. How was it possible to learn whether the Almighty was displeased with him or not? If the Bible contained the revealed will of God, nothing he could say would bring it into disrepute. His firm belief was, that it

did not contain the revealed will of God.

The Lord Chief-Justice.—You are now, Sir, acting contrary to the laws.

Carlile.—The Unitarians, a very numerous sect, might have been prosecuted for denying the Divinity of Jesus Christ; for if you deny this you make him a mere man. He must be either God or man; there can be no medium. I always feel a veneration in contemplating the Deity, and never use his name irreverently. In England there are more than a hundred different sects, who are all jealous of each other, and among whom there are perpetual bickerings and controversies. The difficulty I labour under, in bringing a question like this before a court of justice, is, that the rules of the court will not permit it to be fairly discussed. It is well known that the Old Testament contains many things extremely objectionable, and which cannot be reconciled to decency or morality. It is the fear of hearing them repeated that operates on yourself, my Lord, and the Attorney-General, to prevent my proceeding.

The Lord Chief-Justice.—No, Sir, no such thing operates on me. It is not competent for you to defend yourself, on a charge of calumniating the Christian religion, by reviling it in your defence.

Carlile.—The Bible contains many things contrary to morality. Were I to detach the several parts of it, and publish them separately, it would subject me to a prosecution by the Attorney-General, at least if he did his duty. Mr Carlile then read a small tract put forth by the London Religious Tract Society, called “The History of the Bible,” which contained some curious information in regard to the three versions, of which one was published in Latin, at Mentz,

in 1462; another in German, at Leipsic, in 1467; and a third at Antwerp, by the celebrated Tindal, (being that which contains the New Testament,) in 1526. Mr Carlile was, at a loss what was to be done, seeing the number of acknowledged errors which had crept into the various translations of the Bible. By which version were they to be guided? He then took occasion to quote the authority of Mr Bellamy, the Hebraist, the first man who, for centuries, had begun to employ himself on a translation of the Scriptures throughout. This gentleman had asserted, that the objectionable parts of the present Bible were not to be found in the original Hebrew. This indeed amounted to nothing; for they who knew the Hebrew must take that Bible as it now existed among them for their legal Bible—that which in the statute of William and Mary was called the word of God. Now, to this translation of Mr Bellamy's, intended to correct a multitude of errors in the old one, many of the Bishops had subscribed, and it was patronised by the Prince Regent. The Prince Regent, he believed, had, in the first instance, put down his name for five, afterwards for fifty, and finally, he believed, for seventy copies; yet for this translation would not Mr Bellamy become liable to an information from the Attorney-General? He had been told by gentlemen well versed in the Hebrew, that the original contained passages infinitely more objectionable than appeared in the translations now extant. It had been his intention to have brought before them several persons professing the Hebrew tongue, to show they were by no means agreed on this important point, and had not settled the authenticity of its doctrines, which, from the disagreement of various translators,

might be twisted into any shape to suit the age they lived in. He would have proved by their evidence, that Paine was justified in every thing he had said. He could hardly persuade himself that that was the revealed will of God, the free investigation of which was pursued by pains and penalties: had it been such, he thought its professors would rather have challenged inquiry and examination. If he were allowed to go on with his defence, and could prove that the objections taken by Paine were borne out by the evidence of the Bible itself, he would be entitled to their verdict of "*Not Guilty.*"

The Lord Chief-Justice could not dispense with the law.

Mr Carlile could not comprehend the reasons assigned for objecting to the course he was desirous of pursuing. He was not aware, that he was attempting any thing immoral, and would not shrink from a comparison of the morality of his whole life with that of the Attorney-General. Mr Carlile having again referred to the 53d of the King, which exempts from penalties those who impugn the Trinity.

The Lord Chief-Justice marked, that his opinion had been invited and pronounced: where was the advantage of again going over the same ground? The act of the 53d of the King left untouched every part of the Christian Religion except the Trinity. After this it was the duty of the defendant to submit.

Mr Carlile could not assent to his Lordship's construction. Few persons would deny that there were parts of the Bible inconsistent with the attributes of Deity. Without denying the authority of the whole Scriptures, he might, therefore, claim the privilege of offering some comments on the different parts of them. It was, indeed, difficult for

him to proceed, as the Learned Judge said the law denied him the use of his reason. He should now read the first and second chapters of the book of Genesis, and point out the inconsistencies they contained. In his opinion, all things were produced in the usual course of nature, and that given effects arose from given causes. If in error he was open to conviction, but imprisonment and persecution would never convince him. The Jewish account of the creation showed that it was written before the researches of astronomers had proved the existence of other planets and worlds, and there was no reason to believe that the earth was the first part of the Creation. (He afterwards read from beginning to end Paine's letter to Mr (now Lord) Erskine, subsequent to his prosecution. The Court declined interfering, as this letter was published in the same volume with the *Age of Reason*.) On coming to the passage relative to special juries, he resumed his observations, remarking that for eighty years, the abuse ascribed by Paine had continued to exist, but was at length in some degree corrected at Wooler's trial through the exertions of Mr Pearson. The special jury list had been amended, but was by no means perfect. It was left in the hands of the under-Sheriff, from whom, as the case occurred, it was sent to the Master of the Crown-office: This officer, with a very little keenness, might still select forty-eight names, that would leave no difficulty in procuring a subservient jury. He himself would have undertaken to do so in this case. It required only a little experience and recollection of verdicts to do so. He hoped this practice would soon be completely reformed by the sheriffs, and that we would at length see a full, and not, as at present, a packed list of

persons qualified to serve. The defendant then recommenced reading the letter addressed to Lord Erskine; and having brought that to a conclusion, was proceeding to make a similar commentary of his own, when he was interrupted by the Court.

Mr Carlile.—If Christianity be part and parcel of the law of England, I am sorry to see so little of its spirit in those around me.

The Lord Chief-Justice.—I hope I have shown no want of it on this occasion.

Mr Carlile.—Every part of the Christian religion deprecates persecution. Jesus Christ, whose pure and excellent moral character was admitted by Paine, fell a victim to the priesthood, because he wished to innovate on their church; and I have no doubt that it was with the priests of this country that the present prosecution originated.

The Lord Chief-Justice.—There is no reason for your continuing reading the Old Testament. It may be presumed that the jury are already acquainted with it.

Mr Gurney.—It is evidently read only for the purpose of being impugned.

Mr Carlile.—I read it for the purpose of justifying the principles of Paine's work.

The Attorney-General.—That I cannot submit to.

Mr Carlile replied, that he could not see any moral offence in the course and mode of defence which he had adopted. He considered the jury as his judges, and to them he appealed. In the case of Williams, his counsel, Mr Kidd, was taking the same ground, when he was interrupted by Lord Kenyon, who told him, that whilst sitting in that Court he would not suffer this course to be pursued. Mr Kidd replied, that he stood there as an advocate: this man

had applied to him for assistance, and he had heard his Lordship say that every man was entitled to a defence. He was not aware of any other ground, and if prohibited from taking it, the Court might as well tell him to abandon his client.

The Attorney-General here read from a published report of the trial an account of what passed; and it appeared that Lord Kenyon left it to the jury whether the proposed passages should be read from the Bible, and the jury unanimously declined.

Carlile.—It would appear by this decision as if the Bible were a book that ought not to be read.

The Lord Chief-Justice.—Not irreverently.

The Foreman of the jury intimated, that they were unanimously of opinion, that the defendant should not continue his reading in this view.

Carlile, holding up a copy of the Koran.—Were I to dispute the divine authority of this book in a Mahometan country, I should be deemed guilty of blasphemy.

The Lord Chief-Justice.—The difference in that case would be, that, instead of a patient and temperate hearing before a jury of your countrymen, you would immediately be submitted to the bowstring.

Carlile resumed.—His principle was, that every man had a right to form and express his own opinion. This was the principle maintained by Dr Geddes, to whose translation of the New Testament there could be no objection to his referring. Dr Geddes, who was a Roman Catholic Clergyman, examined the Hebrew Scriptures, as he would have done any other work, pointed out their defects and beauties, and gave his opinion of their truth and falsehood. He read a part of Dr Geddes's work, in which the author expresses his disbelief in the order for the extirpa-

tion of the Gentile Nations by the Jews, and observes, that neither his conscience nor his religion would permit him to suppose such an order was given by God, or even by Moses; but that he conceived it must have been inserted by some Jew who wished to vindicate his countrymen against the charge of cruelty.

The Attorney-General objected to this course of proceeding.

The Lord Chief-Justice had not yet heard any avowed object. He believed it was not the work of a person who denied the truth of the Christian Religion.

Carlile.—It is not. It is an endeavour to vindicate the character of Deity.

The Attorney-General remarked, that this trial could have no termination, if the defendant was to read every work of this kind. The present work appeared to have no reference to the defence. He wished the object of reading it to be distinctly stated.

The Lord Chief-Justice thought it not at all like the work indited, as the author appeared generally to acknowledge the truth of Christianity.

Carlile.—It is a work of great celebrity. The author believes some parts, and doubts others.

The Lord Chief-Justice. But the charge against you is publishing a book which denies the whole Scriptures, reviles them, and calls them fabulous.

Mr Carlile proposed to read some passages from Gibbon.

The Lord Chief-Justice informed him, that if he proposed to read from Gibbon, or any other author, extracts which tended to show that the Christian religion was false, as a Judge in an English Court he could not sit to hear them.

Mr Carlile thought the object of

this course of proceeding was to crush him. Though Gibbon had published an attack on the Christian Religion, he had a pension from Government. After he wrote his Essays Hume was appointed Secretary of Embassy to Paris, and afterwards had a pension of £500 a year. Hume was answered by Dr Campbel. Why not let the works he had published be also answered through the medium of the press? He asserted there was a concert against him.

The Lord Chief-Justice denied, there was any concert against him, or any disposition to stop, in a fair course, his defence.

The defendant here reiterated his complaints, that he was not permitted to avail himself of the statute lately passed for the protection of Unitarians. He asserted, that half the people in the country were Deists, though many, on account of their situations, professed to believe that which they did not believe. He had intended to call as evidences the members of a great many sects, to show the different views of Christianity which they entertained: This was part of the course he intended to pursue, but the interruption he had experienced had completely cast him down. He was deprived of the means of defence.

The Lord Chief-Justice repeated, that he had always informed the defendant that he should have the fullest latitude in his defence; but any thing denying the Christian religion could not be admitted.

Mr Carlile said, that the books before him were merely an examination of the Hebrew Scriptures. It appeared that the Hebrew differed from the English, and the law could not apply to both.

The Lord Chief-Justice. — The reading of the work is not relevant to your case. The author does not deny the Divinity of the Scriptures.

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Mr Carlile, after some farther altercation with the Court, remarked, that the disposition which had led to this trial was the same which had caused hundreds to be burned in Smithfield. He then proceeded to read extracts from a translation of Dr Burnet's work, *De Statu Mortuorum*, and to comment as he read. The work was addressed to the Clergy of his Diocese, and the Doctor told them that the day would come when the belief of Hell would be reckoned as absurd as that of transubstantiation. But many had suffered death for denying transubstantiation. Tacitus had declared that to be a blessed time in which a man could think without awe, and speak what he thought. Many great men, as Milton and Bacon, had declared their sentiments of the right of free opinion, and the value of truth. Boyle had also given his testimony in favour of freedom of opinion. Such were the sentiments of some of the greatest men this or any country had produced. But the Attorney-General called on the jury to send him to prison for freely expressing his opinion. From the objections which were made, it was, however, of no use for him to go on. He was cut off from the defence he meant to make, and he could not make two.

The Lord Chief-Justice.—If you say any thing in defence, which does not imply a denial of the divine character of the Scriptures, it will be heard.

Carlile.—Suppose I call a Unitarian into the witness' box, ask him whether he believes the immaculate conception, and he answers "No?" The Lord Chief-Justice could not receive such evidence. If he should happen to be wrong, he would be corrected by the opinion of the Judges.

Mr Carlile, after some observations, proceeded to read passages

from a volume of Ecclesiastical History, containing the writings of Eusebius and others. Mr Carlile having read from this work the account of Simon Magus flying, and various descriptions of the early heretics,

The Attorney-General appealed to the Court, whether this had any thing to do with the case.

The Lord Chief-Justice asked, what was the object of the defendant?

Mr Carlile wished to show the variety of opinions which prevailed, before the Councils of Nice and Laodiceæ compiled the New Testament.

The Lord Chief-Justice.—If that is to lead to the inference, that the Scriptures are not divine, such a course cannot be permitted.

Mr Carlile thought, that to show the difference of opinion which had prevailed, was material to his defence.

The Lord Chief-Justice again repeated his former observations. He felt much difficulty, from his anxious wish, that in the administration of the law he should establish no dangerous precedent.

Carlile.—There can be no danger from fair discussion.

The Lord Chief-Justice.—We are not here to discuss the question on general principles.

Carlile.—Why, then, is a single sect allowed by law to impugn the doctrines of Christianity?

The Lord Chief-Justice had repeatedly given his opinion on the construction of the statute.

After some further observations, the Chief-Justice was of opinion that the book in question could not be read.

Mr Carlile, after alluding to the doctrines of Joanna Southcote, and others who had not been prosecuted, proceeded to read a life of Luther, observing at the same time, that if he was to be punished for his publications, those who persecuted Lu-

ther were justified in their conduct. Luther had opposed the religion of his country; but it happened, fortunately for him, that before the Pope could get hold of him, he obtained the protection of the Elector of Saxony. He would not compare his humble efforts to those of Luther, if they were not exerted in the same cause, the promotion of truth. Like Luther, he would rather persist in his course, than retract what he conceived to be truth; and he hoped he should find the jury disposed to protect him against the Attorney-General, as the Elector of Saxony had protected Luther against the Church of Rome. Mr Carlile next read an extract from a book, showing that some of the fathers considered the book of Genesis as an allegory. He then went on to show that he was prosecuted for believing in one God, and that the object of his prosecutors was to ruin him, by harassing expenses. He hoped, however, the jury would act up to the spirit of the age in which they lived. Had their ancestors not resisted superstition, the jury would not be now sitting in that box, and he would have been delivered up to the Inquisition for his opinions. He could not conceive how a declaration of disbelief could be called blasphemy. He was prosecuted for not believing facts, for the truth of which he could not find evidence sufficient to convince his mind. It was rather too much to try to compel him to believe what he could not believe. He then referred to the Gospels of St Matthew and St Luke, to show that they had given different accounts of the birth of Christ.

The Attorney-General again appealed to the Court.

Carlile thought he was justified in the reference, from its connection with a passage in the *Age of Reason*, for which he was indicted. It re-

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lated to that part of the Scriptures, which a particular sect was now allowed by law to reject.

The Lord Chief-Justice. But not to revile.

Carlile.—To reject a thing as false is to revile it.

• After some further observations, his Lordship desired the defendant to proceed, but hoped he would keep within the bounds of moderation.

Mr Carlile then referred to the Unitarian edition of the New Testament, in which whole passages were omitted on the ground of their being false. Here he quoted Revelations, chap. xxii. ver. 18. and 19.: “For I testify unto every man that heareth the words of the prophecy of this book, if any man shall add unto these things, God shall add unto him the plagues that are written in this book. And if any man shall take away from the words of this book of prophecy, God shall take away his part out of the book of life,” &c. Now the Unitarians have actually taken away and rejected a great part of the New Testament. In his opinion, to reject the Trinity, was to reject Christianity. The Unitarian, indeed, appeared to be nothing but a Deist under a cloak. He intended to have been prepared to show to-morrow, that anterior to the Council of Nice, there were fifty Gospels in existence; but in consequence of his chain of defence being broken, he could not go on. It had also been his intention to introduce to the jury the works of Bolingbroke, Gibbon and Hume, and to show that they had gone as far as Paine with impunity. Gibbon had done insidiously what Paine had done openly and honestly. Hume had advocated Atheism, while Paine’s works were full of elevated sentiments of the character of Deity, and of the sound-

est morality. Why was he denied the right of justifying his belief? If the Attorney-General had not something to fear from the effects of that justification, would he shelter himself under the statute of William and Mary, or under the common law, which was founded on the mere dicta of the Judges? As he had been deranged in his defence, he thought it would be but justice for the Court to adjourn till to-morrow morning, to give him time for fresh preparation.

The Lord Chief-Justice.—For what purpose do you wish the Court to adjourn?

Mr Carlile said he intended to call a number of witnesses. He wished to call different sectaries, because, in stating their opinions, the jury would see how different the grounds of their belief were. He would also have called Jews and Mahometans.

The Lord Chief-Justice would not permit persons of different sects to come there to give an account of their faith. Still less could he allow any one to stand up and deny the Christian religion.

After much further observation of this kind, Mr Carlile said he had a great deal of important matter to introduce in his defence, but that the interruption he had experienced had deranged him. He was also quite exhausted, having tasted nothing but water all day.

Some further conversation having taken place, the Lord Chief-Justice inquired whether the jury wished to adjourn. The jury intimated that they did. An adjournment was then consented to, upon a pledge being given by Mr Carlile, that he would not seek to introduce into the conclusion of his defence any matter which had been decided by the Court to be inadmissible.

Carlile's Trial for a Blasphemous Libel.—Third Day, October 14.

The Court was opened this morning at the usual hour. The intensity of public curiosity, except as to the result of the trial, had in a great measure subsided. In the course of the morning, a rumour had been circulated, that Mr Carlile had gone off to Dover on his way to France; but this was contradicted by the arrival of the defendant, accompanied by Mr Fry, about thirty-five minutes past nine.

The Archbishop of Canterbury and the High Priest of the Jews were in attendance soon after nine, and were seated together in a small room behind the Justice seat.

The names of the jury having been called over,

Mr Carlile proceeded in his defence. He said that he stood pledged to the jury this day to abstain from bringing forward any further observations on the Old and New Testament, which might be in the least degree offensive to the most scrupulous believer, except those he should be obliged to make to defend himself from certain charges in the prosecution. He lamented the number and weight of the difficulties which, from various circumstances, he laboured under. Had he not felt that he was the victim of prejudice, and marked out as the object of persecution by those in higher stations, he should have hoped that the purity of his intentions might have apologized for the defects in his defence, defects which he begged them to ascribe to his want of practice in public speaking. Unable as he was to express himself with eloquence, and although his command of words was

no greater than his command of belief, (which was imputed to him as a crime by the Attorney-General,) he yet felt assured that the jury would deliberate with due solemnity on what they had heard, and that they would give him credit for the sincerity of his intentions. The jury would not fail to remember, that even Jesus Christ himself had been called a blasphemer by the Attorney-General of his day, the public accuser of Jerusalem, and, unfortunately for him, there being no such thing in Jerusalem as trial by jury, was condemned and executed as the founder of a new sect, Christianity, in defence of the established religion of that period. He called upon them to recollect, that every advantage which had been obtained for the human race, in all ages, had, by invincible firmness of mind, been wrested, by a few honest and upright individuals, from power, bigotry, and oppression. By the decision of his Lordship, the whole plan of his defence had been deranged; and unless the jury acted like thinking men, his trial would be nothing but a solemn mockery. Had he not been interrupted, some things would have been explained, which had been considered offensive, and the conviction of the integrity of his views and motives more fully established. He was gratefully sensible of the patience with which the jury had heard him. He feared he had trespassed much; but he besought their attention to his difficult situation; and as what he now meant to urge would not be long, he hoped they would extend their patience to it, and apply their minds attentively to his restricted defence. There had been, during the last century, a growing sense of the shocking absurdity and folly of prosecuting works like *The Age of Reason*. The Crown Lawyers,

whatever judges they might afterwards make on the Bench, were bad judges of the progress of human improvement. Their minds were cramped and confined by the studies connected with their profession. While the progress of the human understanding went on with unceasing vigour, like a giant in his course, that of the crown lawyers stood still, like a milestone on an unfrequented road. He now begged leave to refer to a little work of extensive circulation, *A Sketch of the Denominations of the Christian World*, by the Rev. John Evans. From this work he read several passages. The author expressed himself most forcibly on prosecutions like the present, and stated, that contempt is the most proper punishment for low scurrilous writing, and that that was the correct way of treating Paine's *Age of Reason*. He next read an essay of Dr Enfield's, on the improvement of the education of youth, which had appeared in the first volume of the *Monthly Magazine*, and which treated of the question, "Whether the freedom of inquiry ought to be restricted?" In this essay Dr Enfield argued that there could be no doubt of the right of every man to inquire after truth. Every man came into the world in possession of that right; and as he cannot resign it without folly, so neither can he be deprived of it without injustice. Every man, from the period he is placed in his cradle, is an inquirer. When an infant, he seeks for explanation; and as he advances in life, the desire of information becomes stronger. He now read an extract from the works of Dr Limborch, Professor of Divinity in Holland. It was contained in his *History of the Inquisition*. Inquiry, this learned writer contended, was peculiarly agreeable to the principles of the Christian re-

ligion; and he proceeded to show this from the example of the Saviour and his Disciples, and contrasted their exemplary conduct with the intolerant proceedings of those who followed them, and had been looked up to as the Fathers of the Holy Religion which they taught. These were described as having made the name of bishop and persecutor almost synonymous. The observations he (Mr Carlile) had read from this work, he had brought under their attention, because he conceived the present prosecution had been instituted under some other influence than at present appeared. From something that had fallen from his Lordship himself on the preceding day, he thought he could perceive that he had some objection to this question coming before that Court. From the known opinion of the Attorney-General, he could not have been favourable to its coming there, and he could only, therefore, regard him as the mere mechanical instrument of some other influence. If, as his Lordship had stated, Christianity was that part of the law of the land to which its principal institutions were referable, and by which they were guided, he (Mr Carlile) must contend, that unless that same Christianity authorised persecution on account of religious opinions, (a position which no man would be inclined to maintain,) the law of England, on his Lordship's own showing, did not authorise it. He stood on his trial to show that Christianity was a system that authorised persecution for religious opinions. But if authorities were wanting to prove the impropriety of preventing free discussion, there was one of the utmost weight to which he could refer them. He alluded to Mr Locke, one of the greatest men this country had ever produced. (Here Mr Carlile read

a long extract from Mr Locke's *Essay on Toleration*, in which the right of mankind to discuss subjects of all kinds was powerfully enforced.) It was from the enlightened and manly mind of Locke that these sentiments emanated. With respect to blasphemy, (with which he was charged,) some words had been used by him yesterday, which caused an unpleasant feeling: therefore, it would not be improper to make a few observations on the term here, and to inquire to whom, and with respect to what, it might be applied. Whatever might be the different opinions of different men with respect to the Deity, to speak of blasphemy against God was a vague and undefined assertion. The word "Blasphemy" meant nothing more than evil speaking of him. Now, the object of this defence was to show that Paine's work had been written by the author, and published by him (the defendant) to prove that works had been sent into the world in which much evil was spoken of the Deity. The word "Blasphemy" might be applied to a proceeding between man and man. It was generally known, that if one man injured another by libel, the aggrieved party had his remedy in that Court; but what possible need could there be to apply to a court of justice to protect the character of the Deity? To him it appeared quite strange and inconsistent. The word "Blasphemy" had a harsh sound, but was in itself harmless and of no effect. It was well described as a word made use of by bigot knavery, to light the fire for those whom it was meant to destroy. Mr Carlile then read an essay from the *Christian Reformer* of July 1817, in which the author observes, "Blasphemy, like heresy, is a big word, which those who make the most noise about it cannot define; and it is a-

bused in proportion as it is little understood." The work from which he read these passages was edited by a man of the highest character for erudition and morals, the Rev. Robert Aspland, a popular minister among the Unitarian dissenters. This gentleman had sat near Hone at his trial, and preached three excellent sermons on the subject of blasphemy; in which sermons he argued, from the example of the Saviour and the Apostles, who declined placing the consciences of men under temporal authority, that no set of men had a right to inflict penalties on those who refused to acknowledge a generally received belief. (Here Mr Carlile quoted from a tract written by the Rev. Christopher Wyvill, entitled, *Intolerance the Disgrace of Christianity*. This tract alluded particularly to Sir Thomas More, who, though otherwise distinguished for virtue, purity and patriotism, was tainted with the guilt of torturing and destroying the reformers; it noticed the religious toleration in America, which it contrasted with the persecutions in other countries; adverted in strong language to the persecutions under Louis XIV. and XV.; and asserted, that the Church of England had nothing to fear from the concessions of religious toleration.) Mr Carlile next proceeded to observe, that having referred to many books since he first rose to address the jury, he now came to one, which as an authority surpassed them all. (Having eulogised, in the highest terms, the pious and excellent Archbishop Tilletson, Mr Carlile now opened a volume of his sermons; and read a few passages, which were to this effect: That a man, having the spirit of a man, could not submit to the evil of not being allowed to examine what his religion was; that he would

break with any church in the world which would not allow him that privilege, and be justified in saying, "If your religion is too good to be examined, I doubt it is too bad to be believed.") In the ruined and mouldering cloisters of ecclesiastical power, the bigots of expiring persecution were no longer to be found; or if they were, they were flitting only through their gloomy halls in single obscurity, or else they were to be met with in our courts of law in the shape of Crown Lawyers, squinting askance at the parchment rolls of *ex-officio* informations. He should next call the attention of the jury to a pamphlet written by Dr Squire, Clerk of the Closet to the present King when Prince of Wales, and afterwards Bishop of St David's. (This proved to be a deprecation of intolerance, in tenor similar to the other citations made by the defendant.) A letter written by Dr Furness, and addressed to Sir William Blackstone, the illustrious author of the *Commentaries on the Laws of England*, claimed their especial attention. This little, but important production was occasioned by a passage in Blackstone's work relative to the Toleration Acts, in which the learned Judge had spoken of some restrictive and oppressive statutes of a most intolerant nature, as being not only defensible, but laudable, at the time at which they were enacted. In proof of the efficacy and weight of the argument advanced by Dr Furness, it might be proper to observe, that in the next edition of Blackstone's *Commentaries*, the errors pointed out in the Doctor's letter were rectified, the subject reconsidered, and a more accurate interpretation put on the acts in question. He could not but press upon their minds to consider that a multitude of absurd statutes would still have

disgraced the Statute-book, had it not been that the influence of public opinion had erased them. Attorney-Generals were accustomed, as a matter of course, to do something for a large sum of money.

Recurring, again, to his definition of the word "Blasphemy," the assertion which had been hazarded, that the Christian religion could not subsist without the infliction of some punishment for what had been declared to be blasphemy in that Court, was best answered by the fact, that the Christian religion did not itself denounce that conduct which had been represented as blasphemous on his part. If, in its early infancy, that faith had been calumniated, and reviled, and blasphemed, while yet weak and feebly supported, was it fair to suppose that, after being handed down to our times, and now maintained by the powerful and the great, blasphemy was likely to harm or prejudice its existence? Here he would observe, that if the Attorney-General meant to assert there was no Christianity out of England, he was very certain he knew better. The Sovereign of England was also the Sovereign of the Protestant Church throughout his dominions here, and of the Roman Catholic Church in Canada; he was Sovereign, moreover, of Indians and Mohammedans; of the followers of Mohammed, and of the multitudes, who, throughout the vast extent of the Hindoo territory, adhered to the worship of their native gods. Were these differing sects to be treated as blasphemers of Christianity? If the open profession of doctrines adverse to the Christian faith, which, he contended, reposed on the belief of the Trinity, amounted to blasphemy, the Attorney-General had broken the laws before the passing of Mr Smith's Act. Could the Attorney-General

say, that he now believed the doctrines of Christianity? He held in his hand a sheet of paper, purporting to be a copy of a letter said to have been written by "Our blessed Lord and Saviour Jesus Christ" himself. He supposed that he might with safety assert, that more copies of that letter were struck in this country than of any other paper whatever. He could assure the gentlemen of the jury, that it was impossible to enter the meanest and most wretched hovel in the country, without seeing at least one copy of it pasted on the wall. If they needed any example to show how much an ignorant superstition was still encouraged and kept up, this letter would suffice, and it was for that purpose he had produced it. It was said to have been found at the distance of 18 miles from Jerusalem, about 53 years after the crucifixion. He declared he was no blasphemer, and entreated them not to forget what were the talents, what the virtues, of Limborch, of Locke, and of Tillotson. He should now draw his observations to a close; but it was necessary to take a short view of what had happened in that Court, and of the conduct pursued by the Attorney-General. That gentleman, he complained, had acted towards him in a manner extremely unfair. At his outset he had professed that it was not his wish to excite any prejudice against him (Mr Carlile); whereas he had said and done every thing to do so. He then begged that the jury would calmly and deliberately consider, whether he appeared to have had any bad view in publishing sentiments which he had done every thing in his power to prove that he cherished and adopted from principle. He had heard that an impression to his prejudice had been already received by

the jury, and that there was little doubt of a conviction; in which case it was his intention to move for a new trial. But before any determination was come to, he trusted those before whom he stood would reflect, that if a verdict of guilty were found against him, the severest punishment which his persecutors could inflict would await him. They were to consider, that a mass of prosecutions still awaited him from the same vindictive source, and that ruin would be the inevitable consequence of conviction; for pecuniary penalties, as well as long imprisonment, would most certainly be visited on him. They were to consider that the liberty of the press, with which nothing should be allowed to interfere, was at stake; and that the verdict must either support it against the enemies of all freedom of thought, or deliver it into the custody of those who would keep it safe, and never let it wander again. The freedom of the press was indeed a farce, if it was to be regulated by the pleasure of the Attorney-General. Though he had scarcely any hope that he had made such an impression of his case on all their minds as he wished to produce, yet he trusted he had made such an impression as would, in the event, entitle him to their verdict of acquittal. He had heard, and he was most sorry to say it, that one individual of their number had said publicly, on the preceding night, that he would like to give that — Carlile five years' imprisonment, and bread and water for all that time. (There now arose a tumultuous cry of "*Name, name,*" from all parts of the Court, and "*Shame*" was reiterated among the spectators. The gentlemen of the jury appeared to join in the cry of "*Name, name,*" and to feel the utmost astonishment at the accusation.)

The Lord Chief-Justice (interposing).—Oh, no, I hope you will not allow any thing so indecorous, gentlemen.

Mr Carlile was afraid that the recent allusion he had made might be considered very imprudent. He was sorry indeed he had made it, but it arose from information which he had only received since he had been in Court. It might not be necessary to do so; but should their verdict unfortunately go against him, he should perhaps find an opportunity of supporting the charge on a motion for a new trial. It was a maxim of English law, that when twelve men were formed into one body as a jury, and it should happen that while a portion of that body were willing to return a verdict of guilty, there yet remained a doubt of the guilt charged on the accused in the mind of one individual only of that jury, that doubt should entitle such party accused to a verdict of acquittal: And it was, he believed, also admitted, that it was better that ten guilty men should escape, than that one innocent man should be condemned. Applying these observations to his own case, he argued, that if only one of them should entertain a doubt, whether or no he (Mr Carlile) was to be brought in guilty, then that doubt, it was to be remembered, was the doubt of the whole jury, and was to be construed to his benefit. He should now conclude with a short appeal to the jury, which he had for the sake of correctness written, and which he would read from the paper which he held in his hand. He addressed himself to their feelings, as moral men, as husbands, as fathers, as members of the community, whose condition they doubtless wished to ameliorate. It was his firm belief that by a verdict of acquittal the present state of the community would be

much improved. By a verdict of acquittal, they would annihilate the vague and infamous law of libel, as respected the discussion of questions affecting government and religion. By a verdict of acquittal, they would put a stop to religious persecution; they would to reason its free exercise and influence, and dignity to the mind of man. They would encourage the honest avowal of sentiment and opinion, which, from minds well stored, must, instead of disturbing society, prove the source of inestimable blessings. By a verdict of acquittal, they would entitle themselves to the thanks of all unprejudiced persons; and by exciting the conflict of opinions, soon lessen the differences prevailing among men. He wished, too, to guard them against giving way to the unfair advantages, which his prosecutors would take, when he should no longer have any power of explanation or reply. He heartily thanked them for the kind and deliberate attention with which they had heard his defence, and trusted that the necessity of tolerating free discussion on this subject had been made evident to the twelve enlightened minds to which his reasoning had been addressed. The sum and substance of his argument was, that the argument had no foundation in common law, and that the only statute which made it an offence had been superseded by a subsequent and recent one: And under this last statute he trusted that through their means he should find protection.

(It was about three o'clock when the defence closed.)

The Lord Chief-Justice.—Tell me for what purpose, and to what points you wish witnesses to be examined.

Mr Carlile said, that he intended to call several of the leading persons of different Christian sects, in order

to show the wide diversity of opinion that prevailed among them; that some of them approached very nearly in creed to himself; and that as they were all tolerated so ought he.

The Lord Chief-Justice.—That is your object, is it?

Mr Carlile had a further one, but he feared it would be objected to; it was to obtain the opinions of the sectaries on certain parts of the Bible.

The Lord Chief-Justice.—Have, you any further object?

Mr Carlile.—That was the chief object, as he conceived that he could show by these means that each sectary would give a different account of the various parts submitted to him.

The Lord Chief-Justice.—I ask you once more if you have any other object, as I wish to know whether you have any that is legitimate?

Mr Carlile.—It had also been his intention to inquire whether they thought the Christian faith could be promoted by any aid from the secular arm.

The Lord Chief-Justice.—As you have now stated the purposes for which you were desirous of examining these witnesses, I have to declare my clear opinion that their evidence is inadmissible. The truth of the Holy Scriptures is not the question to be tried here. It is well known that various denominations of Christians differ in their tenets and articles of faith; and it would be most indecorous and improper in me to call upon persons in this Court to give an account of their religious principles.

Mr Carlile here interrupted his Lordship.

The Lord Chief-Justice.—If the defendant will not hear me, I must proceed in the cause without the trouble of explaining myself further. I certainly cannot receive opinions.

It is for the jury to decide. The defendant might call half the city of London, if such a course were allowed.

Mr Carlile said he wished only to call a few of the most eminent individuals.

The Lord Chief-Justice.—It is not for me to distinguish who are, and who are not eminent.

Mr Carlile said, that he had all along considered the subject under trial as matter of opinion.

The Lord Chief-Justice.—Well, that may be your apology for having brought so many matters before the Court.

Carlile then signified, that he should only call witnesses to his moral character.

The Lord Chief-Justice.—Mr Attorney-General, you have no objection to this?

The Attorney-General answered in the negative.

William Cumming was then called, and examined by the Court.—He stated that he had known the defendant eighteen years. His general character was extremely good.

James Yarn, a person retired from business, was next called.—He had known the defendant six years, during which time he had always borne an excellent character.

• *Thomas Walker*, a messenger of the Navy Office, had known the defendant four or five years. He had lodged with witness, and was always considered an honest, industrious, sober man, and one who paid his way.

Mr Carlile wished it to be understood, that with these persons he had resided since his first apprenticeship till he became a housekeeper.

The Attorney-General then rose to reply. He began by remarking, that after the long, painful, and laborious attention which the jury had

paid to this question through its progress, he could not but regret that there should be any necessity for him to take up more of their time in the way of reply. Certainly, as far as the defence referred to the charge upon the record, such reply might well be spared; for if any doubt had existed in their minds when the case for the prosecution was closed, as to the intention with which this work had been published, it had been already removed by the open declaration of the defendant, who upon such a question must be deemed the best witness. Were it not, therefore, for some observations that had been made upon the law in this case, he should have felt that he would best discharge his duty by remaining silent. If he had not been previously acquainted with the defendant's object, it was impossible to be ignorant of it any longer. A correspondence had been read between Mr W. Smith and Mr Bentham, which he had not before had an opportunity of seeing, but which of itself proved what the intention of the Legislature was in passing the statute of the 53d of the King, as well as of those who introduced it. Its authors, and those whose benefit it was enacted, were grateful, and never entertained the most distant idea that it would be converted into a shelter for blasphemy and impiety. They never imagined that it would lead to an endeavour to strike out of our constitution every Christian doctrine, and introduce atheism, polytheism, or any other notions which it might please any individual to circulate. The time had fortunately not yet arrived, when the defendant, or any of those who fed him with the materials of his defence, would see religion utterly swept from the law. Not that the law interfered with any man's opinions, not even the Deist's, if he

kept them within his own breast: but to publish these opinions in a mode, calculated to undermine all religious belief, and thus introduce the chaos of infidelity, was an offence incompatible with all civil government. The defendant had said there was no such thing as common law in this country; that the written law alone could be depended on; and that unless he (the Attorney-General) could prove this to be an offence by some statute, there was an end of the question and of the prosecution. Was the defendant, then, or were his advisers so ignorant as not to know, that many of the highest crimes which could be committed were punishable by the common law alone? This was the case with theft and murder: so it was with all the rights of property. But the object was to get rid of all law, and to throw all things into confusion. He trusted, however, that none of them would live to see those times, or lose the benefits of that constitution as it was established, and under which this nation had enjoyed happiness and freedom. But then it was urged, that a statute had recently passed, which authorised, or at least no longer forbade, publications of this nature. Certainly the 53d of the King had extended toleration; but the defendant was wrong in thinking that it had thereby opened a floodgate to every species of infidelity, which, under the influence of some insane delusion, many persons were desirous of letting in upon mankind. The act had extended toleration, but how? A brief retrospect of the law would make the subject plain to demonstration. The act of the 9th and 10th of William created no new offence: it was in strict affiance of the common law, but it imposed new penalties on offences particularly specified. It enacted, that if any should

deny the doctrine of the Trinity, or that the Old and New Testaments were of divine authority, they should be liable to certain penalties; but, long before that, as the defendant must know, many persons had been prosecuted at common law for attacking the established religion. Even Williams and Eaton, who had been convicted for publishing the same work with the present defendant, had been prosecuted at common law; and no lawyer, or any other man, had ever dreamt that their convictions were illegal. In 1813, a bill was introduced into Parliament, which afterwards passed into a law, and to which so much allusion had been made. It was then properly observed in the House of Lords, that there had been no trial for a long time for mere differences of opinion,—a truth which was admitted by the Dissenters, who nevertheless wished for this farther security. On the other side it was remarked, that if they repealed that part of the statute of William which applied to the Trinity, it behoved them to preserve the other parts of it, or otherwise there was an end to the religion of the country, and not only to the established religion of the country, but to that of the Dissenters also. The law inquired, not into the religious sentiments of any man whilst he kept them secret; but it could not permit individuals contumeliously to revile, either the Church, or Christianity in general. He would add, under his Lordship's correction, that any contumelious attack on the Trinity would even now be liable to prosecution. Mr Justice Blackstone, the liberality of whose sentiments on the subject of religious toleration were admitted on either side, had observed, in his celebrated work, that contumely and contempt were what no establishment could tolerate: whilst

every man was entitled to worship God in his own way, he was not at liberty to assert openly that the Bible was a fable, the Christian revelation an imposture, and the whole religion of the country a system of lies and deceit. This was a question, indeed, in which all denominations of Christians were equally interested; and if his view of the law were incorrect, he would be set right by the learned Judge. He had stated it to the same effect when he first addressed them, and had not, as the defendant asserted, called upon the Court to state it for him. Dismissing, therefore, this branch of the subject, he would refer to some other observations of the defendant, who, after experiencing the greatest forbearance that ever was exhibited in a court of justice, who, after calling on the Judge repeatedly for his opinion, no sooner heard it than he controverted it, and thought proper to make some personal allusions to himself (the Attorney-General.) These it was unbecoming in him to notice; but the public ought to be satisfied with regard to the motives of this prosecution. The defendant, indeed, was not very consistent in his imputations; at one time representing himself as a Deist, acting merely as the instrument of others; and at another, as inflamed by a spirit of persecution, and as desirous even of bringing him to the stake. That the defendant was in some degree an instrument in other hands, there was great reason to believe: but he could assure him that he knew little of his (the Attorney-General's) character, if he imagined him capable of this subservience. So long, however, as he had the honour to hold his present situation, he would employ his best exertions in support of the laws and constitution of his country: So long he should deem it his duty to

bring to justice those who, like the present defendant, assailed them. Then as to the insinuation that he was an unwilling agent in this prosecution, and that it emanated from the Clergy, it was wholly unfounded. This publication had attracted the notice of his esteemed and worthy predecessor, who consulted him respecting it. Neither of them entertained the slightest doubt, nor could any reasonable man, that it was a fit subject for prosecution; for so long as Government itself was estimable, it ought to be guarded against such dangerous attacks as the present. How was it possible, that in 1818, they could suffer the same thing to be done with impunity which had been prosecuted and punished as a blasphemous and impious libel in 1797 and in 1813? It was his duty to prevent the dissemination of such poison at all times, because at all times it might produce irreparable mischief; not indeed to the learned, nor to those who had leisure to inquire fully into so grave a subject, but to the unwary, the ignorant, and the easily deluded. Let no man, however, be arrogant enough to suppose, that Christianity was to be overturned by such a publication as the present, after the weapons of Tindal, Bolingbroke and Gibbon had fallen harmless to the ground. But though Christianity could not be injured, individuals might. The defendant had triumphantly told them that he had already sold thousands of copies of this work. Who could deny that such an extensive sale might produce injurious consequences in many quarters, even although Christianity were placed upon a rock not to be shaken even by Thomas Paine? The defendant complained that here was a prosecution, and yet the Court declined to enter the field of controversy with him. The Court could

not so enter. The law of the land forbade it. To do so would be to do a thing to which it was in every way incompetent. Was Christianity reduced to such a state, that it was to be submitted to twelve gentlemen in that box to confirm or reject its authority? When an individual was charged with insulting religion, and with endeavouring to bring it into contempt, could it be expected that a court of justice would inquire whether religion deserved to be so treated? As well might a man charged with theft or murder at the Old Bailey tell the gentlemen of the jury, that he considered the Bible fabulous; and that as his offence was forbidden only by the common law, the authority of which he equally denied, they were incompetent to try him. He was indeed wasting his breath and their time in maintaining a proposition obvious to common sense itself. What was the question which they had to try? The charge against the defendant was, that he had published a scandalous, blasphemous, and impious libel on the Old and New Testament. Had he done so, or had he not? The work spoke for itself, and the intention of publishing it was avowed. He had read the whole book, and there were some passages in it much worse than those selected in the information: with some of these he felt it his painful duty once more to disgust them. (The Learned Gentleman here read some offensive passages, which we need not repeat.) Could these passages, he would ask, be defended as free and candid disquisition upon controverted points, such as that of the Trinity? No: the object was to strike away the Bible altogether. Discussion was easily to be distinguished from reviling and defamation. If this were tolerated, it were better that religion should have no

influence at all; and if religion were discarded, they might be assured that the Constitution would soon fall likewise. The defendant had been allowed to read the whole work, in order to show, if he could, that the passages quoted differed from the sense imputed to them; but it turned out that the publication was full of the most disgusting and offensive abuse that ever was produced. Could this, then, be called a persecution of opinions, and not a prosecution of a gross and infamous libel? With regard to the alleged hardship of so many prosecutions, the defendant must know, that one only had been instituted at the instance of Government. But every day on which the defendant had sold the work he had repeated his offence; and if he continued to sell it after notice of the information, he sinned with his eyes open, and had little ground of complaint. He had accused him (the Attorney-General) of exciting prejudices against him, and complained that the jury had been called upon to convict. With regard to prejudices, if any had been excited, it must have been by the defendant's own conduct. The jury had been called upon to convict only if they believed the charge to be true; though, undoubtedly, he had reminded them, that they were pledged to the truth of Christianity by the oaths which they had taken. The defendant asserted his belief in God and a future state; but how was it that our knowledge of a future state had been acquired? Not by the light of nature, but from a divine revelation alone. Look at the sages of antiquity who speculated on this subject; at Socrates, at Cicero; and see what were the wild and visionary notions which they formed of an after existence. Mankind were lost in uncertainty, and found no footing, no assurance,

till the Gospel promised, not only a future state, but a future state of rewards and punishments. Deism was in fact as bad, as dangerous as Atheism; and as to what had been said with regard to Paine remaining firm in his conviction, he had reason to doubt its accuracy. He believed that doubts would one day enter the mind of the defendant also; and if they should occur when about to quit this sublunary scene, and he should reflect that he had but poisoned one mind, or deprived but one individual of the glorious hope held out by the Gospel, he would feel that he had done what ages of penitence would not atone for; that he had made himself answerable, not only for his own, but for the crimes of another. The jury had a momentous question to try. Those who had hitherto lived in the confident hope of a future state, trusted that, on this occasion, that hope would not be pronounced delusive. They (the jury) had, he doubted not, inculcated on the minds of their children the precepts of our sacred religion, and taught them, as morning and evening alternated, to repeat the beautiful prayer composed by our Saviour himself. Were they prepared now, to address these children, and say, that although they had, up to this moment, led them to reverence the faith which they themselves entertained, the *Age of Reason* had now dawned? If such was the view taken, their oaths as jurors were a mere nullity; the obligation under which they acted had no sanction; and the justice which they aimed at administering was at an end. With regard to what had been said of his having a stake in the issue of this question, he had none, except what they all had in common, in the maintenance of religion, and the Constitution. The jury would not swerve from the

clear path which their consciences pointed out, in bringing to a conclusion a trial which had no other origin or object than what had been distinctly stated. The duty which they had now to perform was solemn and important; but it was at the same time easy; one from which they would not be misled by the taunts, or scoffings of infidels. If the facts justified the conclusion to which he himself had arrived, they would adopt it, and in guarding society from pollution, satisfy the anxious hopes and expectations of the public.

The Attorney-General having concluded, the Lord Chief-Justice immediately addressed the jury, and having stated, with precision, the substance of each count of the information, referred to the several points on which the defence had been rested. Much had been urged in the course of the defence, of which all who heard it must disapprove; but the jury were not on that account to suffer any prejudice to withdraw their consideration from the simple question on which they were to decide. It had been insisted, in the progress of this inquiry, that all that had been written of the Scriptures, and published by the defendant, was just and true, fit and proper to be published. The defendant had wished to read other writers who maintained similar opinions, though not expressed in so strong, or perhaps so coarse a manner. He had also desired to call witnesses to speak to the differences prevailing among different religious sects. His Lordship had felt it his duty, on mature consideration, and it would hardly be supposed that he came to a trial like this without previously turning his thoughts to the subject, to inform his mind as to what course he ought to pursue in the different circumstances which might be expected to arise. He had

then determined, and he did not regret the determination, that it was not competent in a Christian court, in a court of law, to rise up and say that the Christian religion was not a religion of truth. It would be strange, indeed, if such a question were to be put in issue in order to be tried before this tribunal. He had therefore resisted every attempt to introduce such a discussion, and should have felt that he was disgracing his situation had he acted otherwise. Another topic of defence strenuously, and in some degree properly urged, was the danger of restraining free discussion and free inquiry. God forbid that any such restraint should take place. But they had to distinguish, whether the present publication was an instance of that free inquiry and discussion, or a work of mere calumny and ridicule. There was no individual, and no subject, to whose character or to whose merits revilings and calumnies could be lawfully applied. The exercise of reason was allowed in the fullest manner by the law of England, because it was a law of public liberty and freedom. That law had adopted into itself, and was in a great degree founded on, the Christian religion; and from this source it was that its principles of liberality and humanity were derived. But though as a law of liberty it allowed perfect freedom of opinion, and interfered with no man's private belief, it did not allow to every man to do what seemed good in his own eyes, if it were injurious to society. They had then to consider the character and tendency of this work; for with regard to intention they had no means of judging, and could not decide on the motive of any act, unless by some extraneous proof it could be shown that the agent had a different intention. The Christian religion forming part of the

law of the land, it was not fit that he or any other person should openly deny its truth. That must be taken for granted in a court of justice. But in estimating the motives, it was not unreasonable to look at the object assailed, and compare it with that which it was proposed to substitute. The Christian system had advantages which never existed under any other religious system. By the institution of the Sabbath, a day of rest was afforded. Man had never been so kind to man as the Author of our religion, had been in establishing this regulation. Christianity, likewise, gave the best support to the afflicted, and taught them to bear their sufferings with patience and resignation, in holding out to them a hope of the highest kind—that of an eternity of joy hereafter. Now, before any man assailed an establishment thus offering blessings to all classes, he might be expected to pause and consider what he would substitute for that which he was anxious to destroy. The jury, not he, were to decide the question; but he thought no man, wishing well to his fellow-creatures, would approach the subject without awe and reverence, without decorum both of thought and expression. Let them consider for a moment what was this creed, of Deism which had been so eulogised. Christianity was addressed to all; it was intended for all, and especially for the poor and humble. What did Deism, as expounded by the author of this work, present to them? Cold, proud, and presumptuous, he reserved the blessings of a future state for a few, and condemned the great body of mankind to merciless annihilation, saying that they were neither worthy of being damned nor saved. Such a system enabled all those who had the vanity to conceive that they had done great good in their generation

to aspire after eternal blessings, while it set aside the great mass of mankind as too insignificant for the notice of the Creator of the world. It was remarkable too, that the latter part of the defence, which turned on the danger of restraining free discussion, was all taken from those who were professed believers in Christianity, but who, according to this publication, were infidels to God. It had been argued that Christianity did not require the aid of the civil government. He for one firmly relied on its divine character, and believed it would go on till it comprehended, in God's good time, the whole human race; but although it could not be extirpated, it might for a time be superseded. They had seen an example of this in a neighbouring country, where it had been formally set aside. All the bonds of society were immediately loosed, and a dreadful anarchy took place. The question turned on the character of the work, and that must now be collected from it as a whole. Was it fair and candid inquiry? Look at the epithets applied to the Scriptures:—"a book full of lies," "a dangerous heresy," "an impious falsehood." These were a few specimens, and he found none other to soften their effect, or that indicated any other object, than to defame the Bible, and bring it into universal disbelief and contempt. So thinking, it was his duty to express his opinion to the jury; and that opinion was, that this publication was a work of calumny and scoffing, and therefore an unlawful publication. He desired them, however, to think and judge for themselves. Other juries had thought with him; but they were to form their own verdict without any reference to former decisions. Some witnesses had been called, the relevancy of whose evidence might well be doubt-

ed, because moral character had no general connection with profane publications. He doubted not that their verdict would be such as their judgments dictated, and their consciences approved.

The jury, after being closed about half an hour, returned to Court, and pronounced a verdict of *Guilty*.

CARLILE'S TRIAL FOR PUBLISHING
PALMER'S "PRINCIPLES OF NATURE."

*Court of King's Bench, Guildhall,
Friday, Oct. 15.*

The defendant entered the Court attended by two officers. He looked extremely ill.

The Lord Chief-Justice took his seat on the Bench exactly at half past nine, and the cause of "The King against Carlile" was immediately called.

The jury being sworn, Mr Marryat stated the case to them, after which

Mr Gurney rose, and said, that this prosecution had been instituted by the Society for the Suppression of Vice, which conceived that the religion of the country, on which all morality was founded, was not less entitled to the protection of the laws than any other part of their invaluable institutions. And when they saw, in one of the most public streets of the metropolis, works exhibited for sale which attacked and reviled the Holy Scriptures; when they saw such works daringly and ostentatiously sold at the shop of this defendant, which he had been pleased, in the effrontery of his impiety, to style "The Temple of Reason," "The Office of the Republican and Deist;" when they saw all this, they thought themselves called upon to do their

part to put down a class of publications, which, were they to succeed in their objects, would dissolve all the bonds by which civil society is held together. The indictment imputed to the defendant, that, with the design of bringing the Holy Scriptures into disbelief, he had published a certain scandalous, impious, and blasphemous libel, of and concerning the Holy Scriptures and the Christian religion. The book which was imputed as a libel to the defendant, was entitled, "Principles of Nature; or a Development of the Moral Causes of Happiness and Misery among the Human Species." It professed to be by Elihu Palmer; and the imprint stated that it was originally a production of the American press, but reprinted and published in London by R. Carlile, 55. Fleet Street. Whether all these statements were true or false, he knew not; whether there existed any such person as this Elihu Palmer, or whether the book had ever been before printed, he neither knew nor cared. It was enough that he found the defendant openly publishing it with his own hand; and, as it would be his business to show them, publishing it with no other purpose than that charged in the indictment—the profane and wicked purpose of reviling the Christian religion and the Holy Scriptures. It was painful to give utterance to such passages as he would be obliged to read to them in support of his case; passages so abominable, that except certain parts of that infamous work with the consideration of which the Court had for these three days past been occupied, he remembered not to have read or heard of any thing so remarkable for wickedness and atrocity. (Here the Learned Gentleman read the introduction to the chapter entitled, "The Bible, or the Sacred

Writings of the Jews and Christians.") For what purpose but that of reviling the Christian religion could any man think of coupling together two such names as these, (Moses and Mohammed,) one the most exalted and beneficent character God ever sent upon earth; the other, the most impious impostor that ever lived? Atrocious as it was, they could little expect what followed. (Here Mr Gurney read passages from the work, in which the immaculate conception is spoken of in the most horrible and disgusting terms.) This, they were told, was the freedom with which the principles of the Christian religion ought to be discussed. The learned counsel declared that he could not abstain from repeating the expressive language of one of the greatest scholars that had ever lived, who, possessing all those acquisitions which could be made in this world, added to that which was commonly called learning, the most intimate knowledge of the languages and manners of the nations of the East. That distinguished individual, whose life was the best comment on his writings, and who had possessed himself of such stores of learning as perhaps no other man could ever boast of, Sir William Jones, upon a blank leaf of his Bible, and a short time before his death, had written a few lines in his own handwriting, which, however often they had been quoted, he was sure the jury would excuse him for repeating in that place: "I have read with the deepest attention the Holy Scriptures throughout, and am of opinion that they contain, independently of their divine origin, more genuine sublimity and beauty, more interesting historical information, and higher strains of eloquence and morality, than could be collected from all the books that ever were written." Such was the character attached to

the Holy Scriptures by that fervid and powerful thinker; and such testimony, he should contend, was not to be shaken by all the profanity, and bold and impious assertions of all the ignorant infidels in existence. On this subject he would forbear to enlarge, remembering that he was in a court of law, in a country which had founded all its institutions on the Christian religion. If one man was to be called in question for reviling and holding up another to contempt, was he justified in attacking and reviling religion? And could he who was not allowed to scoff at an individual, be permitted to revile that most sacred institution which was the foundation of all the laws that bind society together? It had pleased God to permit the Christian world to be divided into different sects, for reasons which it was not given to man to comprehend. But there were obvious advantages arising from this divine regulation. The Scriptures were prevented from being interpolated, and a vigour was excited in the exercise of charity, which was greater than faith and hope. It would be absurd to doubt, if the God of mercy had so ordained for the good of his creatures. But the defendant might say, that we were not justified in bringing the offence charged into court, for it amounted only to a difference of opinion, and there was no law by which such a supposed offence could be tried. A man charged with robbing another, and put upon his trial at the Old Bailey, might say, "By what law am I brought here?" Upon being told, by the common law, "No," he might say, "there is no law to justify this: it is unjust to put me here: I am at liberty to do as I please, and he who attempts to prevent me places an unwarrantable restriction upon me. I may pick a man's pocket:

You may think that wrong, but that is only a difference of opinion." (*Here there was a laugh in Court.*) A man might argue in this manner upon murder, and the indulgence of odious passions; and this was the reasoning of the defendant. Good God! and was a man to reckon himself persecuted who was called in question for such a crime as he had been describing? He was not to be deterred from declaring these to be his sentiments by the apprehension, that they would be called the cant of one who was an enemy to a free press. Irreligion and sedition had, indeed, a cant, and pretended to support what they were calculated and intended to destroy. Did the defendant think that the press sanctified what was polluted? The gentlemen of the jury were the conservators of the liberty of the press: "And if," said the learned counsel, "I have invaded it, you will stand up as its protectors. I call upon you to protect the press against the attempts of those who render it odious by abuse, by reviling religion, until every good man begins to think, that the benefits issuing from the liberty of the press are more than counterbalanced by the vice and immorality with which the nation is deluged."

He called upon the jury to give a patient hearing to all that the law would allow the defendant to state in his defence; and having done so, he was confident, that they, by their verdict of condemnation, would contribute to stem that torrent of infidelity which had threatened to carry away all our institutions, all our laws, and with them all our happiness.

The sale of the publication in question being proved, the indictment was read by the desire of the Lord Chief-Justice, and some passages were read at the special request of the defendant.

Mr Carlile, in his defence, pursued a course similar to that which he had adopted on his former trial, for the publication of Paine's *Age of Reason*; attempting to justify, till interrupted by the foreman of the jury, who declared, that "they were unanimously of opinion that Mr Carlile was pursuing a very improper line of defence;" and resting his claim to an acquittal on his construction of the act of the 53d of the King, entitled, "An Act to relieve from certain penalties persons who conscientiously disbelieved the doctrine of the Trinity." After this the Lord Chief-Justice summed up, and the Jury having consulted about two minutes, returned a verdict of *Guilty*.

On the 16th day of November, Mr Carlile, who had been convicted of a blasphemous libel at the last *Nisi Prius* sittings in the city of London, was brought up to receive judgment. Mr Denman made a motion in arrest of judgment, which was unsuccessful, and Mr Carlile spoke in mitigation of punishment. Mr Justice Bailey, after an impressive address to the defendant, awarded the sentence of the Court as follows: "The sentence of the Court upon you, Richard Carlile, is, that for the first offence of which you have been found guilty, the publication of Paine's *Age of Reason*, you pay a fine to the King of L.1000, and be imprisoned for two years in the county jail of Dorset, in the town of Dorchester; and that for the second, the publication of Palmer's *Principles of Nature*, you pay a further fine to the King of L.500, and be further imprisoned for one year in the said jail of Dorchester: And that you be further imprisoned until those fines are paid, and also un-

til you give security, yourself in the sum of L.1000, and two others in the sum of L.100 each, that you be

of the peace and good behaviour for the term of your natural life."

CRIMINAL TRIALS.

CHARGE OF MURDER ON BOARD A CONVICT SHIP.

*Admiralty Sessions, Monday,
January 11.*

James Clements and John Drake were put to the bar, and arraigned for the wilful murder of John M-Ardle, on the 28th of April 1817, off St Jago, on board a convict ship called the *Chapman*, on the High Seas. The prisoners both pleaded *Not guilty*.

Sir Christopher Robinson, the King's Advocate, opened the case to the Jury. He observed, that no subject of greater difficulty than the present case could be presented before any Court; the question now to be decided being, whether the prisoners at the bar had not gone much beyond the power entrusted to them. The prisoner John Drake was Captain of the convict-ship *Chapman*, on board which the murder was committed; and it was but fair to state, with regard to him, that this case had undergone some kind of investigation at Botany Bay. In consequence of an application to a Supreme Tribunal, the Captain had been allowed to go on bail; and he had this day surrendered himself to the laws of his country. The ship *Chapman* sailed from Cork on the 14th of March 1817, with about two hundred convicts, a crew nearly as

numerous, and forty soldiers. For the first three weeks after the departure of the vessel nothing particular occurred; but on the 17th of April, a melancholy conflict occurred between the commander of the vessel and the convicts, under the supposition of an insurrection on the part of the convicts, and the consequence was the loss of many lives. This occurrence was not yet made the subject of a separate indictment. The principal transaction was that of the 28th of April, and to this the evidence would be chiefly directed. The leading testimony against the prisoner was that of the convicts, (who for this purpose had received the King's pardon), confirmed, however, as they probably would be, by the most material circumstances, by the soldiers, against whose evidence the same suspicion would not exist. The Attorney-General, Mr Gaselee, and Mr Reynolds, were also counsel for the prosecution. The first witness called was

Terence Kiernan.—He stated, that in March 1817, he was shipped on board a vessel called the *Chapman*, in the Cove of Cork. Several other convicts besides himself were shipped for Botany Bay, on board the *Chapman*. There were about two hundred convicts in all. The prisoner at the bar, John Drake, was Captain of the *Chapman*, and Clements

CRIMINAL TRIALS.

was a marine on board the ship. After having sailed from St Jago, on the night of the 17th of April, a contest took place. He was not certain of the day, as he was not allowed to keep a log-book. Any conviction with writing in his possession, he said, was immediately brought upon deck and put to death. On the 17th of April, several of the irons of the convicts were broken, and witness's among the rest. On this day there was a great contest; and on the 27th or 28th of April following, another firing took place. The greater part of the convicts were confined between decks. Before the firing commenced on the 27th of April, he was in his birth, close to the deck on the starboard side, when he heard Baxter, (one of the officers of the ship) say to Clements, "Are you there?" Clements said, "I am." Baxter then said, "Raise a false alarm, and we will kill every bloody one of them." Clements said, "We will; but it is too soon yet. Wait till the gentlemen go to bed, and then we will have more time." Baxter replied, "It is a very good time now; the gentlemen are all in their cabins; and when you begin, don't be commanded by Captain, Doctor, or Officers, and I'll be accountable." He then heard a sound, which he supposed to be the drawing of a ramrod. Witness lay in his birth, under the starboard fore-scuttle. He heard Clements use some expression about the Irish, and said, "I will let go." He then put the muzzle of his gun down the scuttle, and fired his piece. The firing then became general, and it lasted nearly an hour and a half. Witness continued in his birth all the time, and never left it. Some time after the firing had ceased, Baxter, accompanied with soldiers, came among the convicts, and he there saw

his messmate, John M'Ardle, dead in his birth. He appeared to have been killed by a bullet fired from some piece. The ball entered at the bottom of his stomach, and remained in his body. He believed the shot which killed this man had come from the soldiers' apartment.

Cross-examined by Mr Common-Sergeant.—He never was in any gaol before the larceny for which he had been transported. He knew a man of the name of Crawley, a sailor on board the *Chapman*, who was put in irons for giving instruments to the convicts to break their irons. Witness himself broke his middle iron with a broom stick, and he saw seven or eight other convicts with their irons broken. Witness broke his irons before he arrived at St Jago, and before the 17th of April he had a new iron put on. He swore that before the 27th of April there were not one hundred and twenty convicts with their irons broken. He recollected a lever, and a piece of tin in the shape of a knife, being found in the birth of himself and his messmate. He was flogged for this offence, and received double punishment for speaking Latin to the Doctor. The Doctor said, "You are a good scholar, but a d—d rascal, and shall receive double punishment for it." The convicts made pieces of tin into knives to cut their meat, not being allowed knives. There was a Bible in the convict prison, but he never heard any oath administered. Dr Dewar and Michael Collins had said, that oaths had been taken by the convicts to be true to themselves, and to take the ship. Collins was a convict himself. There was a convict also of the name of Francis Murphy. Witness never heard Murphy say that it was his intention to murder all the crew. Baxter, the officer,

died on the voyage home. After the firing of the 17th he never saw any attempt to force the prison door. The door was perforated in many places, and he supposed one of the bullets must have hit one of the hinges, as next morning he saw the door hanging on one hinge.

Examined by the Bench.—He was designed by his father for the Church of Rome. The Bible found was not his property, but that of a Mr Mac-Coster. The muzzles of the muskets were fixed between the gratings of the hatchway. He did not see Clement fire down into the prison, and only imagined he had done so by what he had said. To the best of his belief there were about twenty irons found broken. The soldiers had frequently ill used the convicts, and witness had refused to go on deck to get his allowance of wine in consequence of it. Until the 17th of April the convicts had nothing to complain of. Witness lay in a birth next to the deck.

Thomas Kelly was next called, and stated that he was also a convict on board the *Chapman* in March 1817. On the 27th of April, about 8 o'clock at night, he lay in the upper birth of the starboard fore-scuttle. While in this situation he heard Clements ask who was that talking Irish below? One of the convicts answered that there was no one talking Irish. Clements then said, "If you do not keep quiet, I will let go." He immediately fired his musket. Witness saw the flash, but not the muzzle, of the gun. Witness had been wounded in the contest of the 17th of April. The general firing commenced a minute or two after the first gun was fired, and continued for about two hours. The convicts cried out for mercy. John M'Ardle was killed in his birth, and

witness's brother, Bryan Kelly, also received a mortal wound.

Cross-examined.—When on board the ship, he never saw any one sworn to murder the crew or to do any thing else.

Examined by the Bench.—Witness slept in the upper birth, and Terence Kiernan slept under him in the lower birth. There were two tiers of births in the ship. Witness, although he lay so near the deck, heard no conversation between Baxter and Clements.

Michael Wood, also a convict, was on board the *Chapman*. On the night of the 27th of April, he was in his birth, and heard Clements ask what noise there was below? A convict of the name of Murray said, that there was no noise. Clements repeated twice that he would let go, and then fired his musket. The firing then commenced from the fore, after, and main hatchways. It lasted for more than an hour. There were six wounded in this affair of the 28th of April. The chain cable was so placed as to prevent persons below from coming on deck. The anchor was placed on the scuttle.

Cross-examined.—He heard no conversation on deck. He heard no threat among the convicts, or throw the soldiery overboard, nor did he see any locks picked. He saw no convict with his irons broken. Dr Dewar had the irons taken off about thirty-five convicts because they were poorly. He never said to Jesse Warburton that there was a conspiracy among the convicts to seize the ship, murder the officers and crew, and carry the vessel to America.

John Brown, one of the marines on board the *Chapman*, was placed on guard on the 28th April. He was in the cabin when the firing com-

menced. He heard a rushing down below. He came out, and heard it said that the convicts had got upon deck. It was quite dark, and he heard a great noise. He heard no orders given by Capt. Drake. The firing continued about ten minutes. After the firing had ceased, he saw Captain Drake on the quarter-deck.

Cross-examined.—The soldiers, and himself among them, slept upon their arms for six weeks, for fear of being murdered by the prisoners. As soon as the ship had passed St. Jago, all the crew thought their lives in danger. It was the intention of the convicts to take the ship, and murder all the crew. After the firing on the 28th, witness went down into the prison among the convicts, with Mr Baxter, and one of the convicts addressing Baxter said, "You may thank Corporal Blown (witness) for being present, or we would blanket you;" and witness understood this expression as an intimation that they would smother him.

George Cook was another marine on board the *Chapman*. On the night of the 28th of April, the first thing he heard was a report of a musket. The firing lasted for almost ten minutes. He did not know by whose orders the firing commenced, and did not see Captain Drake till after the firing was over.

Cross-examined.—He believed, if the firing had not commenced, the ship would have been taken, and the crew murdered. He heard the convicts say, "Fire away, fire away; your ammunition will soon be gone, and we will take the ship." He heard a rush of the convicts in a body against the prison-door, and it was forced off the hinges. They had then only to break through the bulk-head to get possession of the magazine of arms and ammunition. Collins, one of the convicts, stated,

that the day after the ship left St. Jago, it was their intention to take the ship, had not the *Northumberland* seventy-four gun-ship hove in sight. It was intended (Collins added) to throw the sentinels down the hatchway, to fasten the officers down in the cabin, and to seize the arms. Between the nights of the 17th and 28th of April several gun-flints and locks had been taken from the guns of the sentinels, and ten rounds of cartridges were abstracted. Collins also said that a feint attack was intended to be made, and the main body was to follow and take the ship.

This closed the evidence for the prosecution.

Mr Justice Park said, that as no evidence had been adduced affecting Captain Drake, he should not call upon him for his defence.

The Attorney-General suggested, whether it would not be proper, with respect to Clements, to ask the opinion of the jury whether the story told against him was believed.

Mr. Justice Best.—Which of the stories do you mean, Mr Attorney, for they all contradict each other?

The jury declared their opinion, that there was no occasion to put either of the prisoners upon their defence, and they were consequently acquitted.

CHARGE OF MURDER ON BOARD A CONVICT SHIP.

*Admiralty Sessions, Tuesday,
January 12.*

John Drake, Alexander Dewar, and Christopher Bustead, were indicted for the wilful murder of Daniel M'Cornick, on board the convict ship *Chapman*, on the 17th of April 1817, being then on the High Seas;

Sir Christopher Robinson stated the case to the jury at considerable length, but we will not follow him in the detail, nor do we think it necessary to go minutely into the evidence, it being nearly the same as that given in the preceding trial, the case having grown out of similar circumstances, though not applying to the same individuals. The prisoner Drake, the Captain, was, as our readers will observe, acquitted of the murder of McArde. Mr Dewar was the surgeon of the *Chapman*; and Mr Bustead was the officer who commanded the troops on board.

Patrick Smith was a prisoner on board the *Chapman* in April 1817. There were about 200 persons on board altogether. He remembered the 17th of April. He was in bed about 9 o'clock on the night of that day, and was alarmed by the report of a gun; after that he had heard several more: it appeared as if proceeding down the main hatch. He heard the soldiers run over the deck, and the cry was raised of "Mind the fore hatch," "Mind the main hatch," &c., and then the firing continued very briskly for nearly two hours. He did not remember any particular remarks made at the time by the soldiers, but about the close of it he heard the prisoner, Captain Drake, give orders to cease firing. He heard not the least noise amongst the prisoners before the firing commenced. He was not amongst the prisoners; being allowed to act as surgeon's mate, he was permitted to sleep in the sick-bay. After the firing had nearly ceased, he heard the convicts cry out, "Mercy," "Mercy," several times. He heard nothing but groans after that for the night. In the morning, he saw McCormick with two other persons brought in; McCormick was dead. The prisoner Dewar came down in

the morning earlier than usual. Witness heard him say to the convicts, "You brought it upon yourselves."

Cross-examined by the Common Sergeant.—Did not hear the convicts confess that they had brought it upon themselves. They made no answer to the charge of having brought it upon themselves. He always heard the convicts say they were innocent. He persisted in saying that there was no rush of the prisoners before the firing commenced. There was none near the part where he was; and if there had been any, he must have heard it. In the morning, he saw the door of the bulk-head somewhat damaged, but that was caused by the firing. One ball had struck the box into which the bolt shot, and broke it; and two others struck the hinge, so that the door fell open. He never heard that the guard was turned up twice on the night of the 12th, five days before the present transaction. He knew Hoyle, one of the convicts, and heard him complain of having been severely used by his fellow-prisoners. This was before the 17th. He did not hear him say that this ill usage was caused by his having refused to take an oath. He heard the convicts charged with administering oaths to each other, but he knew of no such oaths.

By the Court.—He never heard of any disturbance before the 17th. He knew that several of the convicts had got off their irons. There were less than 80 in that situation. There were some men punished before the 17th, but he did not recollect that it was for breaking their irons.

John Fagan examined by Mr Gaselee.—Was a convict on board the *Chapman*, and was in the habit of occasionally assisting the Doctor in the hospital. His account of the firing and of the conduct of the con-

victs was nearly similar to that given by the last witness.

In his cross-examination, he said, he did not know of any misconduct on the part of the convicts. About five days before the 17th he heard an alarm on deck, and a shot fired, but could not say what was the cause.

Francis Murphy examined by Mr Reynolds.—Witness was a convict on board the *Chapman*, on the 17th of April. There was a muster of the prisoners that morning, but it was not to examine their irons. He went to bed about seven o'clock. Not many of the convicts then remained up. About nine he heard a running on deck, and soon after that a firing down the main hatchway. Baxter, the third mate, thrust a cutlass down the scuttle, and cried out, "You d—d convicted villains, are you coming on deck? but we are ready for you."

Witness heard Lieutenant Bustead say, "Fire away;" and Captain Drake said, "You d—d convicted villains, we shall soon be between decks with you; we'll fire amongst you and scatter you." The convicts cried out for mercy several times. There had been no noise among them more than usual, on the early part of that night.

Cross-examined by Mr Alley.—

He had been in three gaols in Ireland, and was bred up in the victualling line, and was never a doctor. He did not know that he was to be doctor when the ship was taken and the crew murdered. Dr Dewar charged him with such an intention, but it was not the case. He never confessed to any person that he was to be doctor, or that the guard and crew were to be murdered. He was called upon deck the day after the firing, placed upon his knees, and a blunderbuss presented to his head by Baxter, who told him he would blow his brains out, unless he confessed.

He was then asked, whether he did not know that a plan had been laid, to take the ship, and murder the crew. He never said to several persons on that occasion, "It was God's truth, that it was the intention of the convicts to murder the officers and guard." He was certain he never said any thing like it to any body. He never went round for the purpose of administering an oath, and never saw or heard of one being administered. On the 16th, there was a muster for examining the irons. There were only six or seven persons with their irons filed off. He did not hear Captain Drake say, "Soldiers, cease firing, and we shall see whether we cannot make them quiet by going below."

Peter Allen, a man of colour, (examined by Sir C. Robinson,) was also a convict on board the *Chapman*. He remembered the 17th of April. On the night of that day he heard one of the soldiers call out to Captain Drake that there were some men at the hatchway; to which the Captain replied, "Fire away." The firing then commenced, and continued till he was wounded. After that he could not tell what passed, having been rendered speechless and insensible by the shot. There had been no previous disturbance among the prisoners. The next morning he was called upon deck by Captain Drake, and told to confess who were the ringleaders of the mutiny, but he said he knew nothing of it. He then told to prepare for death, but was afterwards sent below.

Cross-examined by the Common Sergeant.—He had heard of the guard being called up a few evenings before the 17th. There was a row, which he heard was caused by some of the convicts attempting to get on deck by the cable scuttle. He never saw any person attempt to get up.

By the Court.—There were only two or three up when he went to bed; but he admitted that, in his depositions before the Magistrates, he had sworn there were twenty convicts up at that time.

John Ryan, examined by the Attorney-General.—Was a convict on board the *Chapman*, and remembered the 17th of April. There had been no noise or disturbance of any kind among the prisoners before the firing commenced.

Cross-examined by Mr Alley.—Witness was examined in the cabin a few days after the 17th. On that occasion he acknowledged that Morrison, McLaughlin, Peter Allen, and some others, were the ringleaders of the mutiny, and that the object was to murder the Captain and crew, and to take the ship. He also said on that occasion, that the reason why the 17th was fixed upon was, that they would then be near the Line, and of course nearer to the coast of America. The whole of the crew were to be murdered, with the exception of one sailor, who was to be kept as long as there was any use for him, and then to be thrown overboard. A hundred of the convicts were to be kept with irons on, in order to receive any King's ship which might board them. Frank Murphy (one of the witnesses) was to be doctor, Morrison to be captain, and Peter Allen (another witness) was to be chief mate. The plan was, (as he said then,) that a feint attack was to be made on one part of the ship, the better to cover the real one, which was to be made on another part. He told all this at the time, merely to save his life. He told the same story when he arrived in harbour to Mr Campbell, the Secretary to the Governor; but when he got on shore he denied it all, because it was not true.

Re-examined by the Attorney-General.—The story he told to the Captain was not true. He told it to save his life. Collins, (another convict,) who had been called into the cabin, was in it when witness entered. The Doctor and the Captain asked him to say all he knew about it, but he said that he was as ignorant of any thing about a mutiny as the child unborn. The Doctor said, "I'll make you know: you shall be flogged first and shot after." The Captain then came, and importuned him to tell what he knew, adding, that he would save his life by confessing as Collins did; that he would be sent home, and should have a great deal of money. He then confessed all that Collins told him, but it was not true. He told the same thing to Mr Campbell, but he was then a prisoner.

To a question by the Court, he answered, that he was not in irons, but could walk about along with the sailors.

William Lea examined by Mr Gaselee.—He remembered the night of the firing: it lasted about two hours and a half. He was brought on deck the next morning, put on his knees along with others, and was told, that as he was the greatest rascal he should die first. He was then asked whether he had a cap to pull over his eyes. He said no, and one of the sergeants pulled his shirt over his head. He was then informed that he had but ten minutes to live, and desired to confess. He told them he had nothing to say, but was ready to die, and they might fire away as soon as they liked. He was asked whether he would take his oath that he had not been sworn as to the mutiny. He said he did not wish to be sworn, as he was going to die. The Doctor then said that they (the soldiers) might fire away as soon as they pleased. He was after that taken up by

the Doctor and ordered to be flogged; but he was not flogged. He was tied to a rope and thrown astern, and towed after the ship for some time. He was ducked nine or ten times. This was by the Doctor's order. When he was taken on board he was not able to speak or hear. He was frequently afterwards punished, and was kept chained to the poop for fourteen weeks, until they were within a few days' sail of New South Wales. On one occasion, he made some confessions to the Doctor; but he did so to save his life, and what he said was not true. He only answered yes or no to the questions put by the Doctor.

Cross-examined by the Common Sergeant.—He used sometimes to work for the armourer, but never took any tools from him. He was put in irons the day before the firing, and was afterwards told that it was in consequence of his having been accused as one of the ringleaders.

Examined by the Court.—When he was asked by the Doctor who was to be armourer of the ship, he said that he was. When asked, where the ship was to be taken, he said to America. He had said before that no person had told him anything of the mutiny, and that he only answered yes or no to the questions of the Doctor. He now said that his memory was bad, and he could not recollect positively.

Thomas Turner, a soldier of the guard on board the *Chapman*, remembered the night of the 17th of April, as he was on duty from six to eight o'clock. He got orders to fire if the prisoners should attempt to come up. He got no orders on that night different from those he received on other occasions. He heard a noise in the prisons below, as if a rush was made fore and aft. He called down to the convicts, to know what was

the matter, but received no answer. He then heard some of the soldiers say, that the convicts were forcing the bulk-head. Soon after this he heard the firing. It was towards the sick-bay. He heard no orders given to fire, and could not say whether it was commenced by the soldiers or sailors. The firing lasted about a quarter of an hour. He did not see any of the convicts until after the firing had ceased. He then saw some of them come round under the main hatchway, and heard them cry out for mercy, and say it was their own fault for beginning it. During the firing he did not see any of the three prisoners at the bar.

Cross-examined by Mr Alley.—When the convicts begged for mercy, and said it was their own fault, mercy was shewn to them. There was a number of persons dressed, and walking about; they did not appear as if they had been in bed. There was a great noise, as of a violent rush. He remembered the inspection of the irons on the 12th. The rivets of many of them had been filed off, and some rope-yarn stuffed into the place of them. By this means they thought to pass muster, and when they got down they could easily shake their irons off. About sixty of them were found with their irons off one morning. They frequently broke them after their being repaired. On the day after the firing, he found the bar under the scuttle had been bent, which must have been done from below. If those bars had been removed, the convicts could have come on deck four at a time. There was such confusion on deck, that the soldiers did not know for some time whether the ship was their own, or in possession of the convicts.

By the Court.—The lock and the hinge of the door of the partition were broken; not as if struck by a

bullet, but by force of another kind. During the confusion, he heard some person in the prison say, that if the convicts could get the upper hand, they would give no quarter.

Richard Vickary was a soldier on board the *Chapman*. The prisoner, Lieutenant Bustead, was his commander. On the night of the 17th of April, the sick-bay door was broken open, and he heard a rush. All the soldiers were ordered to arms, and to muster on the quarter-deck. In about five minutes after, the firing commenced; and during the firing, Bustead was the only one of the prisoners he saw.

Cross-examined. — There was a rush aft and a-head at the same time. The soldiers all thought their lives were in danger; and if the convicts had got possession of the ship, none of the crew would have been left alive.

The evidence having proceeded thus far, Mr Justice Best addressed the jury, observing, that the Learned Counsel, on the part of the prosecution, at the suggestion of himself and his learned brother, had refrained from calling any more witnesses until the opinion of the gentlemen of the jury had been known. It was the opinion of the Bench, that the provocation in this case given by the convicts completely justified the rigorous measures taken to quell this insurrection.

The jury immediately acquitted all the prisoners, and they were consequently discharged.

CUTTING AND MAIMING.

Sussex Assises, Horsham, Thursday, March 25. Crown Side.—Before Mr Justice Bailey.

James Gibbs, a youth of prepossessing appearance, aged about eigh-

teen, was indicted under Lord Ellenborough's act, for feloniously and maliciously stabbing and cutting George Gibbs, with intent to murder or do him some grievous bodily harm, on the 15th instant, at the parish of Storrington, in the county of Sussex.

George Gibbs, a youth about sixteen, the unfortunate victim of the prisoner's ferocity, appeared in the box, dreadfully emaciated, and still labouring under the effects of the outrage which he had suffered, (his wounds being yet green,) and gave the following statement:—His father was park-keeper to Lord de la Zouch, who lived at Parham-park. In the evening of the 15th of March, about eight o'clock, his father sent him with a message to the Crown public-house, a short distance from Parham, when he met the prisoner, near the end of his father's garden. The prisoner had a stick over his shoulder, and although the night was rather dark, he could see him by the light of a lantern which he carried in his hand. The prisoner was then alone, but appeared to have parted from another young man, named Duke. When the prisoner approached him, he was about to wish him good night, when the former struck him over the head and face with the stick which he carried. He was nearly stunned by the blow, which being repeated, he was knocked down, and from the violence of the blow the stick was broken. The witness immediately cried out—"Oh! Jemmy Gibbs, don't murder me?" and begged for mercy. The prisoner then went round him, and immediately pulling out a pocket knife, cut him twice under the chin; but his sanguinary design having failed by these means, he stabbed him behind the right ear with the same weapon. Witness struggled to get from him, and in doing so, disarmed him of the

knife, and in the scuffle the prisoner drew it through his hand, and wounded several of his fingers. The prisoner then took him round the waist, and dragged him to a gate-post, and endeavoured to swing his head against it. Witness cried out for mercy, and called "Murder," upon which the prisoner caught hold of him by the throat, which he gripped with both his hands, in order to prevent his making any noise. He immediately afterwards let go, but seized his throat a second time, and then the witness lost his senses, and remembered nothing afterwards. When he recovered, he found himself with his friends. He swore positively that he never in his life had any quarrel with the prisoner; that they were namesakes, though not related; and that he had known the prisoner as a passing acquaintance, and had seen him occasionally, but was by no means intimate with him. He could in no manner account for the prisoner's attack upon him.

George Whale proved, that he heard the cry of "Murder" on the evening in question, and went to the spot whence it proceeded, when he saw the prosecutor weltering in his blood, and in consequence of the alarm which he gave, the prisoner was pursued.

William Moore proved, that he was attracted to the sanguinary scene in consequence of hearing the prosecutor cry out "Murder"—"Jemmy Gibbs don't murder me!"

Daniel Duff stated, that he apprehended the prisoner between nine and ten the same night on Wracklan Common.

John Braby was present when the last witness seized the prisoner, whose hands and face were very bloody.

Daniel Nash picked up the pocket-knife, which was smeared with blood, and a stick resembling a broomstick,

broken in two or three pieces, which articles he produced, and which were proved to be the prisoner's.

Mr Dennett, a surgeon at Stonington, who was called in, described the wounds which had been inflicted on the prosecutor. The knife being shown to him, he said it was dull on the edge, and in his judgment that circumstance alone prevented the wound being fatal.

Here the case for the prosecution closed.

Mr Justice Bayley asked the prisoner what he had to say in his defence.

The prisoner said, "I don't know that I can say any thing."

John Gibbs, the father of the prisoner, came forward in a state of pitiable agitation, so much so that he could not stand, and stated, that he was a labouring man, and that his son and he were in the habit of working for Mr Emery, a farmer at Parham. On the day mentioned in the indictment, after he and his son had performed their daily labour for their employer, they came home to do some work in their own garden. He observed that there was something singular in the behaviour of the prisoner, who seemed not to work with his usual cheerfulness. At supper time in the evening, about seven o'clock, the prisoner seemed low-spirited, and ate every little food. He kept back from the fire, instead of coming forward as usual on such occasions to join in the humble cheerfulness of their meal. About half-past seven the prisoner went out and never returned. He did not know of any quarrel between the prosecutor and his son.

Sarah Gibbs, the wretched mother of the prisoner, also in an agony of grief, stated, that she observed something singular in the behaviour of her son during supper-time of the night in question. He ate little, and sat

quite behind the rest of the family. His aunt was present, and was about to go home. He was asked to accompany her, but he made no answer, and stood dejected against the cupboard of the room. Witness knew of no quarrel between her son and the prosecutor. They always appeared to be on good terms with each other. The prisoner was a quiet, affectionate, and industrious lad, worked early and late, and was not given to gusts of passion or ill temper.

Anne Price, the prisoner's aunt, observed his conduct at the supper-time above mentioned; his behaviour was very different from what it usually was; he appeared very low. When he was nursing witness's child, he threw it up in a great flurry, and not with his usual and tender care of the child, of which he was very fond. The prisoner was mild in his manners, dutiful and attentive to his parents, and extremely diligent in his employment. On that night the witness asked him to see her home, but he made no answer, and stood silent and dejected. He used to see her home at night on the like occasions.

Mr R. Emery, a respectable farmer at Parham, stated, that the prisoner worked for him three or four years. He was an extremely good workman, and a very industrious, attentive lad: he always bore the character of a civil, kind-hearted young man, and was never known to quarrel with any body.

Mr Justice Bayley then summed up the whole of the case with great minuteness, and adverting to the defence which had been set up, told the jury, that if they were of opinion that the prisoner, at the time he committed the dreadful offence imputed to him, was possessed of sufficient reason to distinguish right from wrong, he was answerable to the law for the act he had commit-

ted, and the penal consequences which must follow a conviction for that act must be visited upon his head.

The jury, after a few moments' deliberation, found the prisoner *Guilty*.

The Learned Judge immediately pronounced the awful sentence of death, in a manner so impressive and pathetic as not to leave a dry eye in Court, at the same time holding out to the prisoner no hopes of mercy.

MURDER.

Lent Assizes, Kingston (Surrey)
Monday, April 5.

Thomas Osborne was indicted for the wilful murder of Eli Cox, on the 2d of August last, at Epsom, in the county of Surrey. The indictment charged the death of the deceased to have been produced in three different ways—by striking with a stick, cutting with a knife, and strangling by means of a stick and handkerchief.

The trial of this case excited an uncommon degree of interest, from its singular circumstances, and the barbarous manner in which the deceased was murdered.

The prosecution was conducted by Mr Gurney, Mr Bolland, and Mr Adolphus.

It is unnecessary to enter into a full detail of the evidence which was adduced on the part of the prosecution, and in the defence. The following were the most important features of the case. The deceased, a youth about nineteen years of age, was employed in the service of Mr Tessier, of Woodcot-park, near Epsom, as under game-keeper. On Saturday evening, the 1st of August last, he had supped with his fellow-servants at his master's house, and about ten o'clock he loaded his pis-

tol from a powder-horn, which his master had given him, and went out for the purpose of sleeping at his master's farm-house, announcing his intention of being up at an early hour the next morning to look out for poachers. He was heard to go out of the farm-house, which was near his master's mansion, about three o'clock on the Sunday morning. He, however, did not make his appearance in the breakfast-hall as usual, nor at church with the rest of the servants; and being still absent at the dinner-hour, the latter became alarmed, and would not sit down to their meal until some inquiry was made about him. Several persons went in different directions, and in a very short time his body was found in the wood-yard of Sir Gilbert Heathcote, which adjoined Mr Tessier's premises, exhibiting unquestionable appearances of violence and murder. On examining his body, there was found round his neck his own silk neckkerchief, containing the stiffener, tied behind in a great number of knots, and twisted in such a manner as to reduce his neck to the size of a man's wrist; and in the twisting was inserted a piece of stick, so as to form what seamen call a Spanish windlass. He was then lying upon his back, with his legs crossed, so that it was quite evident he must have been upon his face when the neckkerchief was tied in the manner above described. His right arm, between the wrist and the elbow, was fractured; in the inner part of the same arm was a long, deep, incised wound; but the coat which covered it was untouched by the weapon, and the shirt wrist remained buttoned. The inside of the hand of the same arm had a deep gash across the fingers, as if a knife had been drawn through it; and the little finger of the left hand was nearly severed from

the limb. On the left side of the head there was a severe wound, but not so severe as to have produced death; and in the opinion of the surgeon who was examined, the death was produced by strangulation. On searching about the wood-yard, the flick of a hare was strewed about the ground, indicating that the deceased had been engaged in a conflict with some person who had been poaching. Near to the body was the pistol of the deceased, the stock of which was broken, and its contents discharged; and at a few yards distant was an odd sock made out of an old hat. Upon the gate which led from the wood-yard were the marks of bloody fingers, as of a person who had escaped that way; and near the gate was found a clasped knife, covered with blood, and which evidently must have fallen from the murderer in his retreat. These were the principal circumstances touching the causes of death to the deceased.

The facts charged against the prisoner to support the indictment were these:—The prisoner lived in a cottage, about forty yards from Sir Gilbert Heathcote's wood-yard, where the body of the deceased was found, and there was a mode of communication from the back part of the cottage to the spot where the body was discovered. On Sunday morning, the 2d of August, about six o'clock, the prisoner came home to his cottage, and was seen by his next door neighbour, who observed him from his window, to be in a very great heat, and sweating profusely from his forehead. In the course of that morning he was seen to take some water in a wash keel, and shut himself up in his house, and afterwards hang his shirt and neckcloth out to dry; upon which articles of apparel were afterwards observed by the same neighbour faint marks of blood. The

prisoner, who was a journeyman gardener, had on the following day been set to work by the person by whom he was employed, to cut strawberry roots; but instead of employing the clasp-knife which he was accustomed to use, he performed his work with a case-knife. The bloody knife which was found, as above mentioned, resembled that which the prisoner usually carried about him. The prisoner had been a seaman; and as the knot which had been tied round the neck of the deceased was what is called a granny knot, which could only have been made by a person who had been at sea, or had been taught to make it by a seaman, it was urged as matter of inference, amongst other circumstances, as proof of guilt against the prisoner. When the prisoner's house was searched three hat-socks were found, one of which completely matched, in point of appearance and texture, with that which had been picked up near the body of the deceased. On the Monday morning after the murder the prisoner's forehead was observed to be scratched, as if it had come in contact with some buskes; and upon being asked to account for the scratches, he said that on Sunday morning he had got into one of his apple-trees, for the purpose of gathering some fruit, to take to his father, and that one of the branches giving way, he fell into a gooseberry-bush, and thereby scratched his face. On the Tuesday he told the same story, but described the accident to have taken place on the Monday morning. His garden had been examined by Mr Howarth, the Member of Parliament, but no traces could there be found of any gooseberry-bush or apple-tree having been injured in the branches, as must have been the case if the prisoner had fallen as he had represented. Where-

as, on the Tuesday the prisoner pointed out where a currant, and not a gooseberry-bush, had been broken in the branches, and had then been recently tied up; but the branches were not withered, which would probably have been the case had they been broken on the Sunday morning, in the then hot weather. Mr Howarth, however, positively swore that he did not observe the same currant, &c. have been broken when he examined it on the Monday. Another circumstance of suspicion alleged against the prisoner was, that on the Sunday morning, about nine o'clock, he came out of his house; and was met without any stockings upon him; and upon being asked why he so appeared, he said the reason was, that he could not find a pair of stockings handy. Under the prisoner's bed, between the sacking and the mattress, were found a pair of faded gray pantaloons and an old waistcoat, upon each of which appeared visible marks of blood, which were considerably faded. Within a few inches of the prisoner's garden-fence was found the powder-flask of the deceased, stained with blood. These were the principal circumstances adduced in evidence to sustain the inference of the prisoner's guilt.

• Mr Common Sergeant and Mr Curwood conducted the prisoner's defence.

The prisoner, who was a very good looking man, about six feet high, and who, during the whole time, was cool and collected, and betrayed no other anxiety than another man in the like perilous situation, put in a written defence, which was extremely well drawn up, and which stated, that on the Sunday morning in question, the prisoner had risen about six o'clock, and had gone into his garden and gathered some ap-

ples; and in doing so had fallen from the tree, by which means he had scratched his face against a gooseberry-bush. He then took the apples to his father's, where he remained half an hour, after which he returned to his own house, where he remained the whole day.—He totally disclaimed any knowledge of the cause of death to the deceased, for whom he had the highest respect, and would have been the last man in the world to injure him, still less would he have been disposed to commit upon him the foul crime of murder. With respect to the clothes found under his bed, he said, that they had lain by there for six or seven months as old and useless, and no longer capable of being worn, as he had grown lusty in his person, and could not put them on. He admitted that he was in the habit of wearing socks made from odd hats, as poor people in the country were accustomed to do; but knew nothing whatever of the odd sock, which had been found in Sir Gilbert Heathcote's wood-yard. As to the bloody knife and the powder-flask he knew nothing of them, and he conjured the jury to dismiss from their minds those prejudices which some persons had taken great pains to excite against him; adding, that he relied upon the intelligence and discernment of the court and jury to relieve him from the heavy consequences of a charge of which he was innocent; and which was abhorrent to his nature.

Several witnesses were examined, whose evidence was perfectly compatible with the prisoner's statement. Two of them deposed, that the man Page, who spoke to the fact of the prisoner having been seen on the Sunday morning in a state of perspiration, was not to be believed upon his oath; and all the witnesses gave the prisoner an excellent character for

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humanity and general good conduct. The other circumstances which appeared in evidence favourable to the prisoner's innocence were, that the witness, Page, never mentioned a single word of the material part of his evidence until after his second examination, and until after a reward of L.200 had been offered for the detection and conviction of the murderer; that the prisoner, after his first examination, had been discharged by the Magistrates, and remained at large, without any attempt on his part to fly from justice; and that, in point of fact, the pantaloons and waistcoat said to have been stained with blood, had been for seven months previous to the murder in the situation in which they were found.

Mr Justice Park summed up the case for the jury with the greatest perspicuity; and, with his wonted humanity and regard for the interests of the accused, cautioned them against any thing like prejudice, and impressed upon them the necessity of deciding the question of guilt or innocence in this case according to the facts proved in the evidence.

The Jury, after deliberating for about five minutes, returned their verdict of *Not Guilty*.

MYSTERIOUS MURDER.

Gloucester Assizes, Tuesday, April 6.

The following trial, which took place on the preceding Tuesday at Gloucester, excited an uncommon degree of interest.

William Burton, aged thirty-three, stood capitally indicted for the wilful murder of William Syms, in the month of November last.

Mr Ludlow stated the facts of the case, which were as follow:—On

the 3d of November, the prisoner and the deceased, William Syms, set out together in a boat belonging to a Mr Hurd, from Woollaston to Bristol. Having transacted some business, in consequence of stress of weather they, on their return, put into a place called Pyle, where they were seen in company at a public-house. On this occasion the deceased produced several bank-notes. On Saturday, the 7th, they again betook themselves to the boat, to return to Woollaston. On their way down the Avon to the Severn, they were seen by several people. The prisoner arrived at Woollaston, but the deceased did not. This excited surprise, and inquiries were made of the prisoner as to what had become of his companion. To these inquiries he gave contradictory answers; at one time saying he had staid at Pyle, and at another, that he had put him on shore, at his own desire, at a place called the Eastern Point, and that he had expressed an intention of sailing for America. At first no suspicions were entertained, but subsequent circumstances led to a discovery of the dreadful deed. The boat was examined, and on the gunwale and after-beach stains of blood were distinctly discovered, although it appeared that every attempt had been made by means of a mop and water to eradicate them. This produced further inquiry, and it was ascertained that the prisoner had set out for Bristol in a state of extreme penury; that at the time he left Pyle, on his return home with the deceased, he was equally distressed, but that immediately after he landed at Woollaston, he seemed to have suddenly become rich. He commenced by changing two L.5 notes of the Chepstow bank; one in payment of a small sum, and the other merely for the sake of the change. He also began to live in a

style of extravagance, quite at variance with his former state of poverty. It was next found that the deceased, on the day of his leaving Pyle, was in possession of three L.5 Chepstow Bank notes, together with some smaller ones of the same bank. These, he was observed, previous to his embarkation, to put into his left-hand breeches pocket, which, when his body was subsequently picked up, was found turned inside out. To these were added other facts equally suspicious. On the morning of the supposed murder, a handkerchief was seen in the hands of the deceased; it was marked W. S.; and this handkerchief was traced to the possession of the prisoner. Upon an alarm being raised, he had lent it to a man of the name of Davies, who would be called as a witness. It further turned out, that the prisoner, shortly antecedent to the disappearance of Syms, had been repeatedly applying to Hurd to lend him a few shillings. His shoes had accidentally burst, and he then declared "that he was unable to refit himself, and that he must box hard to raise the wind to buy himself a pair of shoes, though he should go to the devil for it." Upon being called upon to account for his increase of wealth, he stated that he had borrowed L.5 from an old shipmate of the name of Jones, while he was at Bristol; but unfortunately for him, and happily for the ends of justice, this statement was discovered to be utterly without foundation; for, independently of the fact that, at the moment he was leaving Bristol, he had not the means of paying for his breakfast, it would be proved by the wife of Jones, (the man himself being at sea), that at the time in question Jones had been very much distressed for money, and could not have made any such advance; added to which, his intimacy with the prisoner was

of so casual a nature as to forbid such an act of friendship, even if he had had it in his power. All these disclosures tended more strongly to confirm the guilt of the prisoner, which became still more apparent in the morning of the 27th of November, when the body of the unfortunate Syms was found floating on the Severn in a state of putrescence. It was, however, soon identified, and on being examined by competent persons, presented two dreadful fractures on the front and back of the head, either of which would have been sufficient to occasion instant death. Mr Ludlow having concluded his detail, called his witnesses.

William Hurd proved the fact of the prisoner and the deceased setting out for Bristol in his boat on the 3d of November; they remained at Bristol two days. He remembered seeing them together afterwards at the Swan public-house at Pyle. Syms called for two glasses of rum and water. He said, "I have a five-pound bill in my pocket." The landlady said, "I should like to see it." Syms upon this pulled out three five-pound bills, two of which were Chepstow bills, quite new. He put them on the table, together with three or four L.1 notes. Witness and Syms slept together that night: he heard the clock strike five in the morning, and said to Syms, "It is time to get up; I wish you would hire Burton to take the boat up, and stand into the Old Passage, where I will meet you." Syms agreed to this. Witness was then going to Tockington. They parted soon after five. Witness went to Bristol on the Friday following, and did not go to the Old Passage, for it rained hard, and he got wet through. He looked for Syms at Bristol, but did not see him. Burton's shoes were in a very bad state.

John Purcell deposed, that he lived

at Pyle, and was acquainted with the deceased. He saw him at Mrs Chafey's, at the Swan, on the 6th of November. He also saw him and Burton going down the river next morning in the boat together. It was about seven o'clock. The tide was low.

Stephen Hook saw the prisoner and the deceased together in the boat on the morning in question.

John Wade lived at Woollaston. On the 7th of November he saw the prisoner alone in a boat on the Severn, going towards Chepstow. He asked him if he was going to Chepstow? He replied he was. It was about two o'clock. Witness said, "You have had a fine tide this morning. The wind and the tide were fair, and the boat was drifting up." Witness also observed to the prisoner that his shoes were not water tight. The prisoner answered, "No, master, but I'll have better before I go back." Old Hurd asked the prisoner where Syms was left, and he said, "No, at Pyle." He afterwards said he had landed him at Eastern Point.

John Bundy picked up the body of the deceased floating in the Severn. The left-hand breeches pocket was turned inside out. He tied a rope round the arm, and drew it on shore. This was on the 27th of November.

Mr John Else lived at Frampton-on-the-Severn. On the 28th of November he was called to examine the body. He could not say how long it had been dead; it was in a putrid state. He examined the head, and found several wounds. At the back part of the head there was a mortal wound, the skull being shockingly fractured. There was a heavy blow over the nose, and on the upper part of the frontal bone. He was clear the man's death had been occasioned by these wounds.

'Mr J. Hammond went to see the body on the 28th of November. It was in a putrid state, but he was sure it was Syms.

The Right Hon. C. Bathurst produced the original depositions taken before him, and which corresponded with the evidence which had been given.

Elizabeth Chaffey keeps the Swan at Pyle. She was acquainted with Hurd and Syms; they used to frequent her house. Syms and Burton came to her house on the 5th of November, from Bristol. Syms and Hurd went to bed together. Syms, Hurd, and Burton were together the next morning. The prisoner had eleven pints of beer, but could not pay for them.

John Comingford saw the prisoner with Syms at Mrs Chaffey's, on the evening of November the 6th. The prisoner asked Syms to give him a pint of beer. The deceased was a near man, but he had plenty of money. The prisoner asked the deceased whether he would go home? He said, "Yes." Witness said it was not weather to go in an open boat, the wind and rain being very strong.

Esther Smith proved that the prisoner had come to her and asked her to let him have some things on Hurd's account: he had some bread and tobacco.

James Henry Ball lives at Woolaston. He knew the prisoner Syms, and Hurd. He saw them all three on board in Hurd's boat for Bristol. Burton asked him to lend him 2s., which he declined. Witness saw the prisoner the Sunday following, and asked him what he had done with Syms. He said he had put him on shore at the Eastern Point, and thought he had either gone to America or Barbadoes. Witness caused the prisoner to be apprehended and taken before Mr Bathurst. He had the boat-head examined on the day the prisoner

was committed. He observed the left-hand side. It had been mopped very much, and he looked particularly to that part, as it was so clean. He could see the grain of the wood where the paint had been rubbed off, and discovered what appeared to be marks of blood. He observed the gunwale, and the seats which run across the boat. Before the after-thwart it had been struck so as to make a dent: in this dent there were the stains of blood. There were marks too, as if blood had run on the edge of the gunwale. He went to Epney to view the body on the 28th of November. It was in a barn, and he knew it to be Syms. One of the eyes was out; and the head dreadfully disfigured.

James Evans saw the prisoner at Chepstow on Monday the 9th of November. Prisoner asked him what time the vessel would sail to Bristol, and if he would take any thing to drink? Witness said, "Yes." The prisoner asked him to charge him a L.5 bill. Witness got the bill changed. Burton had some rum, and paid for it with silver.

John Hill, a shoemaker at Chepstow, proved that, on the evening of the 7th of November, the prisoner bought of him a pair of shoes, for which he paid with a L.5 Chepstow bill.

Several other witnesses were then called, who proved that the prisoner, from being very poor, suddenly became rich, and paid all his debts.

Priscilla Jones is wife to Jones, who is steward to the ship *Concert*. She proved that her husband was unable to lend the prisoner L.8, nor was he much acquainted with him.

Mr Woodriff produced a handkerchief, marked W. S., which he received from Sarah Davies.

William Davies proved that he received the handkerchief from the prisoner.

Rachael Richards made for Syms, shortly before his death, the handkerchief produced in evidence.

Mrs Chaffey deposed, that the handkerchief produced was like one which she saw the deceased drying at her fire on the morning of the 7th of November.

This was the whole of the case for the Crown.

The witnesses were ingeniously cross-examined by Mr. Swiss for the prisoner.

Mr Justice Richardson then summed up the evidence with great clearness and perspicuity, and the jury, after a short consultation, found the prisoner *Guilty*.

The Learned Judge immediately proceeded to pass sentence of death. The prisoner was ordered for execution on Thursday, at one o'clock, on which day he underwent the punishment due to his crime, having previously acknowledged the justice of his sentence.

*Worcester Assizes, Wednesday,
July 28.*

MURDER.

Robert Turner Watkins and Edward Watkins were put to the bar, charged with the murder of Stephen Rodway, the first as principal, the other as accessory after the fact.

Mr Casberd, on the part of the prosecution, stated, that there was no direct proof against Edward Watkins; with regard to the other, however, the evidence, although entirely circumstantial, was of the strongest nature, and was as follows:—

The deceased, in the course of his business as a coal-merchant, went to Wootton-Bassett on Friday the 7th of May last. He rode a dark-coloured horse, and had a brown great-coat strapped on the hinder part of the saddle. On his returning from Wootton-

Bassett to Cricklade in the evening of that day, about half after nine o'clock, he was shot near the village of Stoke, and about midway between Purton and Stoke. The report of the pistol or gun was heard by a person who lived near the spot. About an hour afterwards the body was discovered, yet warm. Upon its being opened, no doubt existed of the death having been occasioned by the gunshot wounds discovered on it. Although the deceased is supposed to have had a very considerable sum on his person at the time of the murder, he was robbed of all except a few halfpence. Suspicions were of course various respecting the murderer. It was recollected, however, that the prisoner was at the White Hart Inn at Cricklade, on Friday the 7th of May in the evening, and that he left that place between the hours of eight and nine, professedly to go home; so that, supposing him to have left Cricklade at half past eight, he could easily have reached the spot where the murder was committed at half past nine. At this time he was observed to have a great coat, which he kept constantly rolled up, as a bundle, on his knees. A person was observed about half past nine in the evening of the same day, at half a mile's distance, on the Cricklade side of the spot where the murder was committed, who had on a great coat very much like this of the prisoner's. The person appeared to have something concealed on the right shoulder, but, though twice spoken to, gave no answer. He turned up a lane, as if to avoid inquiry; and yet he was observed to return again to the road immediately after the persons who observed him had passed by. A report of fire-arms was immediately afterwards heard by a witness, who lived very near the scene of the murder, and who saw a man in a light-coloured dress, on a dark horse, turn

down a lane called Bentham-lane. An apparent change in the prisoner's circumstances not a little contributed to increase these suspicions. On the day after the murder, the prisoner was observed to be possessed of much ready money, a circumstance very unusual with him. On the Monday following he paid away two one-pound notes, which will be identified as having been the property of the deceased, paid to him on the 3d of May by his son-in-law, together with a five pound Bank of England note, which the prisoner sent on the 8th to a person named Sophia Cozens, who lived near Cirencester. In this letter he states that he sends her the note to *buy a sow and pigs*. He gives a description of the note, "a L.5 note, the Bank of England, NO. 11,390, 5th August 1818, T. Booth." He carried this letter himself to the post, and paid the postage of it. On the 10th of May he sent another letter to the same person, in which he says, "there is a dispute about the note; the man I took it of is in hold; I hope you will return the note; I think it a forged note." Both these letters reached Miss Cozens together, on the 12th: and she immediately returned the note in a letter, which was stopped, and the note retained. This circumstance of the property of the deceased being found immediately after his death on the person of the prisoner, greatly tends to inculpate the latter in the murder. His examinations before the magistrates contained conflicting accounts. At his first examination he stated, that he never heard any report, and that he never met anybody till he came to Purton, where he met a man on horseback with a coat strapped on behind. At his second examination he admitted that he saw a man on a black horse, in a smock frock, ride away from the

place where he understood the murder was committed; nay, that he overheard what was said, as well as the report of the pistol; and that he saw the murderer ride along the road, and then turn down a lane. He described the appearance of the man, and on three or four persons being shown him, pointed out Thomas Ockewell. Inquiry being made, it was most satisfactorily proved that Ockewell was at Oxford at the time of the murder. The prisoner insisted in one of his examinations that he had never corresponded with Miss Cozens after the 6th of May. Both of the letters before alluded to, the first on the 8th, and the second on the 10th of May, would, however, be proved to be in his handwriting. He stated, that for four or five years he never had a pistol; but on being farther examined he admitted that he had had one, but had sold it to one William Blanchett. It will be proved that two days before this murder a pistol was seen on his table; nay, that he had employed a person in repairing it. The Learned Counsel then mentioned the falsehood of the accounts which he had given respecting his way of becoming possessed of the notes, and of his disposal of them; and concluded a most lucid and masterly address to the jury, with observing, that with regard to the second prisoner, the evidence was extremely slight, as the only circumstance of suspicion attaching to him was, his being seen secreting a pistol in the garden. The witnesses called deposed to the following effect:—

Phæbe Grimes, of Stoke, in the parish of Purton.—On Friday the 7th of May, about ten o'clock in the evening, in the turnpike-road to Purton and Wootton-Bassett, and near to the village of Stoke, she found a man, who afterwards turned out to

be the deceased, apparently dead. She rode back to Stoke, where she met with the next witness, and told him the circumstance.

William Bath, solicitor, lives at Purton. He saw last witness on the evening of the 7th of May last, nearly half past ten o'clock, and went with her and a person named Cornwall Packer, to the spot spoken to by the last witness, to a place called Moor-stone, half a mile from Stock-lane. He saw the body lying across the road; it was warm; it was lying on the back, with the legs and arms extended. He sent immediately for Mr Wells, of Cricklade, surgeon. The deceased's pockets being searched by witness's direction, and in his presence, it was discovered that his watch was gone, and nothing left in his pockets except a few halfpence.

William Wells, surgeon, Cricklade, about eleven o'clock at night, on the 7th day of May last, attended at the place where the deceased was found. The body, by his order, was removed to the Bell public-house at Stoke. Upon examining the body, it appeared to him that the deceased had come to his death by a shot which had entered at the top of his chest. On the next day, on his further examining the body, he found one very large wound and two small ones on the chest, and on opening the body the first thing that presented itself was a shirt-breast-buckle, which was forced with part of the bone into the chest, and had ruptured the large ascending artery, which of itself was sufficient to cause immediate death. On proceeding further in examining the body, three horse-nail heads, now produced, were found in different parts, viz. one in the spine, another near one of the ribs on the right side, and one on the top of the lungs. The spine appeared to be perforated by a ball

and two nail-heads. It appeared, from the nature of the wound, that the deceased must have been on horseback, and in a leaning position at the time it was made, as the ball, &c. went obliquely downwards, and passed out below the blade-bone on the right shoulder.

John Habgood had married a daughter of the deceased; managed his business for him; and received and paid money for him. The deceased went away from home between one and two o'clock, on the 7th of May; he rode a black horse, and had a great coat on; and was going to Wootton-Bassett, eight miles from Cricklade. The road branches off at Purton, at the turnpike. On the evening of Monday, the 3d of May, he paid the deceased with other money, the two one-pound notes, and the five pound Bank of England note now produced. He put the name of J. Williams, the person he received it from, on the five pound note. He also marked the other two one pound notes produced, and knows them again.

Henry Cox, of Wootton-Bassett, mason, about eight o'clock in the evening of the 7th of May, went into the White Hart Inn, at Cricklade. Within a few minutes afterwards the prisoner, Robert Watkins, came in. Witness asked him whether he was going home. He said, "No, he was not;" that he should not sleep at the White Hart, but go further up in the town, which was towards Purton. After this, witness and the prisoner drank a little beer together: the prisoner left the White Hart. This was between eight and nine o'clock, and the witness saw no more of him. The prisoner had a great coat rolled up in a bundle, which he kept constantly on his knees.

Thomas Eagles, servant of Messrs J. and W. Poulton.—On the 7th of May last he was employed with Wil-

liam Hicks to drive some sheep of their master's to Cricklade. When he was passing the village of Stoke, he saw a man on the road, about six or eight yards from him, and coming in a line to meet him. The man turned aside, as though he was going to the village; but as soon as this witness had passed the road to the village, the man again returned into the road. It seemed as though he did this to avoid meeting the witness. The man appeared to have something concealed under the great coat on his right shoulder. Witness could not see the man's face, because his hat was pulled down, and the collar of his great coat buttoned up.

William Hicks corroborated the testimony of the last witness.

Ann Seymour, of Purton-stoke, lived with her father, close to the high road, very near the spot where the murder was committed. On Friday evening, the 7th of May, between nine and ten o'clock, as she was standing at the door of her father's house, she heard the report of a gun or pistol, and within a few minutes afterwards she saw a man ride by her father's house, and turn down a lane, called Bentham-lane: he had on a light coloured dress, and the horse was dark coloured.

William Simpkins, of Bentham, found a loose horse in Bentham-lane in the morning after the murder, which he afterwards understood belonged to the deceased.

Sophia Cozens lives at Hunston, two miles from Cricklade, and knew Watkins. She received three letters from Robert Watkins on the 12th of May, and wrote an answer; a five pound note had been sent her inclosed in one of the letters of Watkins.

John Huse proved the handwriting of the prisoner.

Nathaniel Wells, solicitor for the

prosecution, lives at Cricklade. The prisoner was taken into custody on the 12th of May. Witness saw him at the White Hart, Cricklade. Vickery was present at the first examination, and at several others: no inducement or threat was offered: the prisoner spoke freely: witness took minutes of what he said, but never told the prisoner he was taking notes. The prisoner voluntarily gave the account, but was not pressed. Vickery put questions to him, and witness took down the minutes, which were read over to the prisoner, who said they were all true. (Prisoner's counsel objected to the notes being read, on the ground of the danger of the precedent, which was given up.) Prisoner said he was at the White Hart at Cricklade about eight o'clock in the evening of the 7th of May: he meant to have gone to his uncle's, but altered his mind, and went towards home about twenty minutes after eight, with a great coat under his arm. He saw the place where the murder was committed; and he went across the field which cuts off an angle towards Purton. He went straight home, but met a man and horse at the blacksmith's shop at Purton, with a great coat strapped on behind him; he met no one else that he knew. From thence he went towards Wootton-Bassett, where he arrived at ten o'clock, or a little after, as he heard the church clock strike ten before he got to his house. He did not hear a report of any gun or pistol in his way home from Cricklade on the night of the murder. He met two men coming down Purton-hill, towards Cricklade, near Mr. Perry's school, above 150 yards behind the man he had met on horse-back with a great coat behind him. He said, he had brought from Chichester (where he had been at work on a canal two or three weeks before)

between two and three pounds, viz. two one-pound notes of the Chichester Bank, and the rest in silver; that he had changed one of the said notes at Andover, and had the other note only and the silver when he came home to Wootton-Bassett; that he had not had a day's work since he had been at home, and had expended the money on his family; that he paid the last of the two Chichester notes to a hawker for a piece of cloth; that his wife had received of Mr Kibblewhite a one-pound note about a week since, which she gave him, the prisoner, and that was, as he believed, one of the two notes which he paid Mr Belcher on the 10th of May; that he received of Mr Kibblewhite, in July 1818, after the election was over at Wootton-Bassett, two one-pound notes, one of which he also paid Mr Belcher on the 10th of May, and the other he believed he had paid Mr Woolford for bread; that the two notes he so paid Mr Belcher he left at home with his wife when he went to work on the Chichester-canal, which was about Michaelmas last; that he had not paid away any other notes to any person since his return to Wootton-Bassett, but those above stated; that when he went to Chichester he lodged with Mrs Cozens at Hunston common, near Chichester; that he received from her daughter Sophia a letter, dated the 3d of May 1819; which came to hand on the 5th, and that he answered it the next day, and had not written to her since. This witness then proved that he attended at the examination of the prisoner on the 21st of May, at Swindon. Prisoner said, he met a man riding along the road from the spot where the murder was committed, but he turned down a lane, after which he heard a man say, Halloo! and that the man on horse-

back had a gun or pistol, and was very much like Thomas Ockewell.

John Vickery, principal officer at Bow-street, proved, that on the 11th of May, when the prisoner was in custody at Cricklade, he was asked by this witness whether he ever had a pistol in his possession; to which the prisoner answered that he had had one, but he sold it four or five years ago to one Blanchett, of Wootton-Bassett. After this conversation with the prisoner, witness went to Wootton-Bassett to make inquiries about the pistol, &c.: he saw Blanchett, who told him that he had never bought a pistol of the prisoner, but he had sold him one. The next day, the 12th, on the prisoner's further examination, this witness told him what Blanchett had said, and then asked him whether he was correct in saying that he had not had a pistol in his possession for four years. Prisoner answered, "Yes, I never had, and the pistol I had I sold to Blanchett for four shillings, and a pair of shoes." Prisoner also said to witness, that when he was examined he would tell all he knew about it, and where some things were hid. He said he was near enough to see a man ride away on a black horse immediately after the report of the gun. This man he should know again, but not his name. From what the prisoner and Ann Seymour had said of the description of the murderer, witness apprehended Thomas Ockewell and Henry Packer, of Cricklade, on Thursday morning (the 13th,) and took them to the White Hart Inn at Cricklade, where they found Henry Ockewell junior, of Cricklade, also in custody under the like suspicion; and when all the parties were taken before the Magistrates, the prisoner was asked whether either of those three persons was

the man he saw ride away on the deceased's horse, and the prisoner immediately pointed out Thomas Ockewell as being the person, insisted that it was so, and added, that while he was in the field near the place of the murder, he happened to hear a report of a pistol or gun, as he was but a little way from the spot; and that before he heard the report he heard a person say, "Hollo," and apother, whom he considered to be on horseback, answer, "Hollo, won't you let me pass?" He then heard the report of the gun or pistol, and in two or three minutes afterwards he saw a man ride away, and turn off the road at a little distance down a lane; the man was dressed in a smock frock, and had a short gun or blunderbuss in his hand. In consequence of the suspicion thus excited against Thomas Ockewell, witness took him to Oxford, where he said he was at the time of the murder, and where, after inquiries were made, witness most satisfactorily ascertained that Ockewell was there at the time of the murder, and the magistrates accordingly discharged him. The magistrates at his examination asked the prisoner why he had not had the humanity to go back, after he had heard the report of the gun or pistol, and endeavour to assist the poor man, who he must suppose was wounded, or perhaps killed, from what he had stated to have heard pass. He said he was so frightened that he made the best of his way home.

James Kibblewhite, of Drums, proved that on Friday evening, the 7th of May 1819, he met the person now present in Court, Thomas Ockewell, on the road towards Oxford,

near a bridge called Spargesbridge, at or near the city of Oxford. Witness had known the said Thomas Ockewell for ten years, and is quite sure he is the person he so met, and that the time he met him was about eight o'clock in the evening on the said 7th of May last.

Robert Hunt proved that he saw a pistol in the hands of the prisoner two or three days before the murder was committed: it appeared to be a large horse-pistol, similar to the one now produced.

James Smith proved his making a worm or screw to the ramrod of the pistol now produced, for Robert Watkins, on Wednesday the 5th of May last.

James Lansdown deposed to the seeing Edward Watkins on Wednesday morning, May the 12th, go to the garden of the prisoner's father, about half a mile from Wootton-Basset, and get into a ditch there, where he remained 8 or 10 minutes, when he got out of the ditch, and walked backwards and forwards; then go into the ditch again, and appeared to do something to the grass, as though he wished to hide something there. Witness informed the Mayor (Mr Harding) of what he had seen; whereupon they both went together to the spot, and there found the pistol now produced hid behind a bush under growing grass, and which appeared to have been pushed back over the pistol in order to hide it.

The prisoner being called on for his defence, said that he knew nothing about it, that he never had that five pound note in his possession; and that he never wrote those letters.

Verdict—*Guilty,—Death.*

CRIMINAL TRIALS.

CHILD MURDER.

*Western Circuit.—Exeter, Friday,
August 6.*

THE KING V. FRANCES CLARK,
alias PUTTAVIN.

This case excited considerable interest, from the circumstance of the unfortunate criminal having been twice before indicted and tried for the same offence. On the first indictment she was acquitted, in consequence of the name of the child she was supposed to have murdered being stated to be George Clark, instead of George Lakeman, by which name it was proved to have been christened. The second indictment, stating the death to have been occasioned by the poison having descended into the stomach, was thought not to have been supported by the evidence of the professional men who were examined, and who stated that no part of the poison had so descended into the stomach, but that the inflammation it caused in the throat had, in fact, occasioned the death of the child by suffocation. The present indictment charged her with the murder, by compelling the infant, on the 4th of October 1817, to take a large quantity of oil of vitriol, by means whereof he became disordered in his mouth and throat, and, by the choking and suffocation occasioned thereby, died on the following day. A second count stated him to have died of a certain acid, called oil of vitriol, administered by the prisoner, and taken into his mouth and throat, whereby he became incapable of swallowing his food; and that his death was the

consequence of the inflammation, injury, and disorder occasioned thereby.

Upon the prisoner being arraigned, she pleaded, specially, her former acquittal. The Clerk of Assize demurred to the plea. The prisoner joined in the demurrer.

Mr Justice Best.—My own opinion is, that the plea is bad; but as the two Judges at the former trial thought the evidence adduced not admissible under that indictment, I shall follow this course—I shall overrule the plea, and pronounce a judgment of *respondant ouster*. If she plead not guilty, she may have a writ of error to the Court of King's Bench, or otherwise I will submit a case for the opinion of the twelve Judges.

The prisoner then pleaded Not Guilty.

Mr Selwyn then opened the case on the part of the prosecution; but we have thought it unnecessary to report any thing but the evidence which was adduced, and which was as follows:—

William Vevsey was the first witness called. He stated, that he was a labourer at Buckfastleigh; that the prisoner lodged at his house in the month of October 1817, and had lodged there for sixteen weeks before the 24th of that month; that three weeks before the 21st, the prisoner was brought to bed of a boy, who the prisoner told him was to be called George Lakeman; but witness was not present at the christening. Witness has two rooms, one within the other: prisoner slept in the inside one; and there was no way to it without passing through his room, which was the outer one, where he was the whole day of the 24th, ill and in bed. Witness recollected the prisoner passing through

his room into her own, about two in the afternoon of the 24th, with her child. She staid a minute or two, and went down stairs without the child; but returned in a minute or two at farthest, when he heard her, a minute or so after her return, cry, "The child is dying." The child had not before been crying; it cried as if strangling. She repeated the child was dying. Prisoner went down again with her child and returned. The child was healthy.

Cross-examined by Mr Tonkin.—Witness took no particular notice of the child on that day. Prisoner did not appear alarmed when she cried out the child was dying; when she ran down, she did not appear in great distress.

Sarah Maddick is in her twelfth year, and knows the nature of an oath. Witness lived with Susannah Veysey, the wife of the first witness, in October 1817. Prisoner lived there at the same time. It was about the time of Buckfastleigh fair. A little before the fair, prisoner desired her to go to R. Butcher's for a pennyworth of oil of vitriol. R. Butcher is a druggist. Prisoner gave her a penny and a bottle. Butcher gave her a pennyworth of oil of vitriol, which she gave to prisoner. Butcher told her to tell prisoner not to drink it, or it would kill her. Witness told that to prisoner, who said, "No, no." When witness brought prisoner the oil of vitriol, she was by the fire, down in the kitchen. Prisoner told witness not to tell Susannah Veysey that she had been for oil of vitriol. When she went to the shop, she told her to say it was for the people of the house, and said she would give witness a penny at Buckfastleigh fair, and when she had a child, and got to her mother's, would give her a habit shirt. This was six weeks before she was

brought to bed. Prisoner did not tell her why she was to have these things, only that she should have them.

Sarah Tapper is the daughter of the first witness, and lived with him in October 1817. Witness recollects seeing prisoner at 6 o'clock in the morning of that day, and again between ten and eleven: prisoner was by the fire suckling her child, and nothing was then the matter with the child. Witness was going to suckle her own child; her child was ill: witness told prisoner so: prisoner said, "I do not think mine is a long-lived child." Witness asked why she thought so, and said, your child is much more likely to live than mine was at three weeks old. Prisoner said she had a nice bosom of milk to go a wet-nursing, if her child should die; but added, if her child died, she would dry up her milk and go into the country. She said she was going to have her order next day, but did not think the child would live long for any order. Witness went to work, but returned about half past 12. Prisoner was then sitting in the same place, Witness asked prisoner why she had not dressed the child; to which she answered the child had been asleep all the forenoon. Witness saw prisoner about 2 o'clock the same day; she was in the kitchen with the child in her arms, in a dreadful way, crying the child was dying. Witness observed something on the child's mouth and nose. The child was very bad, the back part of its mouth and throat being all purple. Some liquor was running out of its mouth. It ran upon the whittle and apron, which were stained red. Witness asked if the child had bled. Prisoner said, "Yes." Then she saw her wipe the child's mouth with her apron, which was burnt by it, and turned the same colour as the whittle. The prisoner tried the child to suckle, and witness tried it too,

but it would not. The child never closed its lips after; it lived twenty-two hours. Witness was in prisoner's room two days after, on the 26th, with her little sister, who took a spoon out of her mother's box, where the prisoner kept her bundle. Witness took the spoon and wiped it, but the white fur would not come off. It was an iron spoon; the white was in the bowl of the spoon.

Cross-examined.—When prisoner in the afternoon said the child was dying; she was not crying herself, but the child was.

Susanna Veysey.—I am the wife of William Veysey. On Friday the 24th of October, I went down into the garden near the house, and on my return I heard a dreadful screeching, the screeching of the prisoner. I came in while she was screeching; she was kneeling in a chair, and had the child in her arms. She said the child was dying, upon which I said, how can the child be dying, since it was quite well when I parted from you. I asked her to give me the child, but she said she would not spare the child to any body. She ran up stairs with the child; I ran after her: she ran half way up, and came down again; I took the child from her; some liquor was boiling upon the child's mouth with froth. The back part of the mouth was purple. There was something on the child's nose, which turned red, then white; there was a place on the cheek that seemed burnt with the liquor that ran from the mouth. I asked what she had done it for; and she said it was her mother's fault. I sent for the doctor. Prisoner staid in the house. The child's whittle seemed bloody; I put my finger to it, and put my finger to my tongue; it burned my tongue. I said, "What have you done to your child? You know that you have given it oil of

vitriol: where you had it I know not." Prisoner did not answer. The child was three weeks old; and up to that time, it was quite healthy. The child died the next day, about twelve o'clock. I know about oil of vitriol. I never had it in my house. I had used it when a young woman for the toothach; and it burnt all the teeth out of my head. I found a bottle in the fire the Tuesday after. The bottle on taking out broke, and the liquor was spilt on a stick which was in the fire: it burned the stick. I found vitriol in the bottle: I kept the bottle some time, and showed it to the constable, who had it a week in his possession. It was produced at the former trial, and then broken, being let fall.

Richard Butcher, a druggist at Buckfastleigh, corroborated the evidence of Sarah Maddick, and added, that the oil of vitriol she took away was sufficient to cause death.

Thomas Rowe.—I am a surgeon at Buckfastleigh; I was called to Veysey's house at a quarter after two, to see the child. It looked as if it had been strangled; the mouth was burnt and excoriated, and some white liquid ran from the lips. I remained twenty minutes, and attended again at half past seven. Next day the child was very bad, and convulsed all over. I impute the state of the child to the application of some acid. Oil of vitriol would produce the same appearance. I ascribe the death to suffocation from swelling of the throat. I have been twenty-six years a surgeon.

Cross-examined.—A person could not know oil of vitriol from any other corrosive acid by the taste. I myself could not; a chemist perhaps might. If oil of vitriol were applied to a person's mouth, I think suffocation is not the only mode by which it would operate. It would

dissolve the coats of the stomach; but it might operate both ways, and produce mortification, or such general inflammation as would cause death.

Nicholas Churchill.—I am a surgeon at Buckfastleigh, and was called to a child at the house of William Veysey, at four o'clock in the afternoon of the 21st of October, and found the child breathing with difficulty, and unable to swallow. The whole surface of the body was livid, and the surface of the mouth destroyed by strong mineral acid: from the appearance of the nose, I am convinced it was oil of vitriol. While the matter was fresh in my mind I tried oil of vitriol on my own finger, and the colour produced was exactly the same as that on the child. Oil of vitriol, if dropped on linen, would destroy the texture, and turn it brownish; the apron was checked blue and white, and was turned red. The dye of the blue is indigo, and the natural effect of oil of vitriol would be to turn it red. I think a person might distinguish oil of vitriol from other acid. I think the child died from inflammation, causing swelling and suffocation, and that that was occasioned: by application of a strong acid, which I believe to be oil of vitriol.

Cross-examined.—I did not open the body. If oil of vitriol were poured suddenly into the mouth, it is possible, but not probable, that it would find its way into the stomach. The throat would contract. If it got to the stomach, it would not so suddenly cause death as inflammation of the throat and suffocation would. It would excite vomiting. The child did not vomit, as far as I saw.

Prisoner put in a paper denying her guilt. She alluded in it to her having brought up other children tenderly, complained of prejudices against her, and stated that on the

former trial three masters had sent up a good character of her.

Mr Justice Best observed, that a charge of murder must be considered as proved where the death is occasioned by the act of the prisoner, unless the evidence is sufficient to reduce it below that degree of crime. The only question here was not the degree of guilt, but whether the child died by the act of the prisoner. If the evidence now adduced could have been adduced under the former indictment, then she has once been tried, and cannot be tried again; but this is a question to be submitted to the twelve Judges. The question for the Jury was, did the poison, by the means stated, produce the death of the child? The learned Judge then commented ably on the evidence, and observed, that many circumstances of small import individually considered, when occurring together, acquired a cumulative force, which in many cases gave to circumstantial evidence a weight beyond that of almost any single positive testimony.

The Jury, after a pause of a few minutes, pronounced a verdict of *Guilty*. Objections were then taken to the indictment, which the learned Judge stated should form part of the case which he intended to submit for the opinion of the twelve Judges.

COINING.

Staffordshire Assizes.—*Crown. Side, August.*

Joseph Wilkes, Thomas Earp alias Reddall, and John Duffield, stood indicted for having, at the parish of Darlaston, in the county of Stafford, feloniously and traitorously made

and counterfeited a certain piece of coin to the likeness of a shilling.

Mr Jervis, the leading counsel for the prosecution, said, that the charge against the prisoners was high treason. The principal evidence he should call was an accomplice of the name of Bolton, whose testimony it would, therefore, be the duty of the jury most minutely and carefully to watch, and not to believe it unless fully supported by other and unimpeached evidence. In March last Bolton went to Darlaston, where he met Duffield, who lived there, and proposed to walk in the fields. When they were there, Bolton asked him whether he knew Mrs Bissaker, (a woman lately executed at Warwick for coining.) He said he had known her. Bolton then asked if he would do some work (by which was meant coining?) for him. Duffield agreed, and the price to be paid for stamping the impressions upon the blanks was 3s. per gross. Many subsequent meetings of the prisoners would be proved, and that on one occasion the son of Mrs Bissaker was present. On Saturday, the 17th of July, the prisoners Earp and Wilkes, and the accomplice Bolton, met in a lane at Handsworth, where they were seen by a Mr Green to exchange parcels, and were also overheard to make an appointment for another meeting, near the same place, on the Wednesday following. On that day, the 21st of July, the constables of Darlaston, in consequence of information from Green, attended at the New Inn, Handsworth, and apprehended the prisoners. Bolton and Earp came first; and, when seen, Bolton dropped a small parcel into the ditch, which, however, he said belonged to him. Upon examination, it was found to contain 1740 metal blanks silvered, of the size of a shilling.

Earp had a parcel, containing 1140 blanks of a similar kind. Shortly afterwards Wilkes arrived with an ass and a pair of saddle-bags, in which were found 2589 base shillings, all impressed, complete and fit for circulation. Duffield was not present; but in his house was found a base shilling, which would be proved to have been struck from the same die as those in the saddle-bags. On the premises were also found two iron presses and a large stamp, instruments which he used in his business. With regard to the prisoners Duffield and Wilkes, there could be no doubt as to their conviction, from conversations held by them with the constables; and there would be no difficulty as to Earp's case, he having been seen by Mr Green, on the 17th of July, to exchange parcels with Wilkes, and having been apprehended with a large quantity of the blanks in his possession.

John Bolton said, he was originally a die-sinker, but had not worked at that business for many years. He knew the prisoner Duffield; he met him in March last at the Waggon and Horses, in Darlaston, and proposed to walk in the fields: when they were there, he asked him whether he knew Mrs Bissaker. He answered, "Yes." Witness then asked him if he would do the same for him as he had done for her. The prisoner said, "What's that?" Witness replied, "Stamp some shillings." The prisoner said he would, and asked when he could send any over? Witness said, in a few days he should come to Birmingham, and they agreed to meet at a public-house in Livery-street. The prisoner said he would have 6d. per score, but witness agreed to give him 3s. per gross: witness was to find the blanks and dies. In two or three days witness met Duffield alone at

the Three Tuns, Livery-street, Birmingham. He met him again alone at the same place in a few days. Shortly afterwards they met a third time at the same house, when Duffield brought Wilkes with him; and William Bissaker, the son of Mary Bissaker, was there. Witness, Wilkes, and Duffield, met next at the Leopard, in great Hampton-street, and afterwards at the same place two or three times. They drank together at those places, and paid jointly: there was no work yet ready. About two days after, they met near St Paul's Chapel. Witness did not then deliver any thing to Wilkes; but between that place and the Leopard he gave him a pair of shilling dies, and about 30 lbs. of blanks; silvered, and ready for striking with the impression. Duffield was present, and witness said he had brought the dies and blanks. Duffield told him to give them to Wilkes. A day or two after witness met Wilkes at the Leopard, and received back the 30 lbs. of blanks, stamped with the impression on both sides, and paid L. 3 for them, being at the rate of 3s. per gross, as agreed. Two or three days after, he met Wilkes at the Queen's-Head, Handsworth; by appointment, and took Earp with him. They delivered to Wilkes about 30 lbs. more blanks, in the same state, and to be stamped as before. Nothing was said as to what was to be done with them, but Wilkes took them: the blanks were wrapped in separate papers. They had some drink, which witness and Earp paid for. In a few days, Earp and the witness received the blanks stamped on both sides, from Wilkes, who brought them on an ass to the same place, when another parcel of blanks was delivered to him. This traffic was carried on two or three days a week for some time, and at different

places. On Wednesday, the 14th of July, witness and Earp met Wilkes, in a lane at the back of the New Inn, Handsworth, and delivered him 50 lbs. of blanks, to be stamped and brought to the same place on Saturday following. When witness and Earp got there on the Saturday, they found that Wilkes had arrived, and that he had his son and an ass with him. They left the lad sitting on a bank, and went farther down the lane, when they received back a part of the 50 lbs. stamped, and delivered to Wilkes 50 pounds more blanks, which he was to bring back stamped, on the Wednesday after, and they appointed to meet in a lane, opposite the New Inn, leading to Smethwick. They then went into the New Inn, where they saw a person, whose name the witness now knew to be Green, sitting on a table.

On Wednesday, the 21st, the witness and Earp went, between ten and eleven in the morning, to the lane appointed, and were apprehended by the constables of Darlaston. Witness had a parcel, inside his umbrella, containing about 15 lbs. of blanks, and Earp had one containing the same quantity. They were taken to the parlour at the New Inn where Wilkes, and the saddle-bags, with the counterfeit coin, were shortly brought. Witness got the dies from Mrs Bissaker—one head and two tail dies. He delivered one of each to Wilkes, as before stated; and the other tail die (the former having been broken) at Wilkes's house, in Darlaston, some time after.

Mr Twiss, counsel for the prisoners, said, there were here a number of charges against them, and he thought it but fair that the one upon which the other side meant to proceed should now be named. The Learned Judge acquiesced; and Sir W. Owen, in Mr Jervis's absence,

said, they should mainly rely on the counterfeit coin found at the time of the prisoner's apprehension, and also upon the base shilling found in Duffield's house.

John Bolton cross-examined. — The last two parcels of blanks found upon witness and Earp were about 30 lbs. Witness had been in the trade six or seven months altogether; but had left it off some time before he met with Duffield. He did not know that any process was necessary, after stamping the base coin, to harden it, and make it fit for circulation. Witness proposed the business to Duffield; delivered the blanks to Wilkes, received them back when stamped, put them into circulation, and then informed against his accomplices: he could not deny that it was so. When witness delivered the dies with the blanks to Wilkes, Duffield was by, and witness said what they were for; it was the subject of their conversation: he did not always say what they were for, and, perhaps, he might not have said it then.

Jemima Longmore, daughter of the landlord of the Three Tuns, Livery-street, Birmingham; Elizabeth Cox, servant at the Leopard, Great Hampton-street; and Hannah Turner, servant at the Queen's Head, Handsworth, corroborated Bolton's evidence, as to his meeting the prisoners at those places; and Rebecca Tonks, servant to Mr Crockett, of the New Inn, proved that Wilkes, Bolton, and Earp, came to her master's house on the 17th of July, and that she saw them there on the day of their apprehension.

Thomas Green said, he was a maltster at Darlaston. He knew Wilkes, who lived there. On Saturday the 17th of July, about three o'clock in the afternoon, witness was in the garden at the New Inn, Handsworth, which adjoins a lane, and heard

Wilkes, whose voice he knew well, say to some one, "Sit down." Witness looked over the hedge, and saw Wilkes's son with him, and an ass. Witness observed and listened, and shortly after saw two men come along the lane. On their arrival, Wilkes got up and spoke to them. The three men then went further down the lane with the ass, leaving the boy sitting on the bank. Witness then went to the end of the lane, which he crossed, and went down the hedge side till he came within a short distance, where he could observe them without being seen. Bolton and Earp then exchanged parcels with Wilkes. They appointed to meet the next Wednesday. Witness gave information of what he had heard and seen to Mr Partridge, the constable.

Thomas Partridge said, he was a constable of Darlaston. He received information from Mr Green, in consequence of which he went with Mr Butler, another constable, to the New Inn, Handsworth, on Wednesday, the 21st of July, where they apprehended Earp and Bolton, as stated in the evidence of the latter. Witness soon afterwards apprehended Wilkes, who, after some conversation, said, upon being asked by witness what he had got, "Three knowest." Witness said, "I do." The prisoner answered, "I wish I did not." The parcel in Bolton's umbrella contained 1740 blanks, that found upon Earp 1140, and those contained in Wilkes's saddle-bags 2589 counterfeit shillings. Witness searched Wilkes's house, and, under a bench in the shop, found a parcel in an iron pot, covered with a bag, containing 1377 blanks. He also searched Duffield's house, and found a counterfeit shilling, and in the shop presses and other apparatus which he used in his trade.

William Payne said, he was a constable of Birmingham. He was sent for to West Bromwich on the 21st of July, when he saw Wilkes apart from the other prisoners, but many more persons were present. Witness told him his name, but used no threat, and made no promise. He said, he understood the prisoner was taken into custody on a charge of having forged money in his possession, which it was material he should account for; he was at liberty to do as he pleased, but he believed it was found upon him. The prisoner said, he would tell the truth, whether for or against him: he had the money from Duffield, at Darlaston. Upon witness observing that it would take three persons to work such a press, he said, he and another worked the fly, and Duffield fed it. Witness afterwards saw Duffield at Darlaston, apart from the other prisoners. He made use of no threat or promise, but said, he understood the prisoner was there under a charge of coining. He then asked him, whether he wished to say any thing upon it, which he was at liberty to do or not. The prisoner said, he was a poor unfortunate man, with a large family, and wanted money to pay his poor-rates; he trusted, therefore, that mercy would be shown to him. On being asked by witness, how long he had been in that way, he said, only a very short time; and that he had the dies from a person who received them from Bolton. The witness took up Duffield's press, but found nothing suspicious about it: he had examined the shilling found in Duffield's house, and one taken from Wilkes's saddle-bags, before the magistrates, and they were both struck from the same die.

Mr George Atkinson said, he was

moneyer at the Royal Mint. The shilling now produced, found in Duffield's house, and that taken from Wilkes's saddle-bags, were both counterfeits, and struck from the same die. The others produced from the various parcels were also counterfeits, and from the same die.

This was the case for the prosecution.

Mr Twiss then rose on behalf of the prisoners, and raised the following objections:—First, that to support the present indictment, it was necessary to prove the royal proclamation under which the coin was issued, to support which objection he cited sections from various acts: And Secondly, that to bring the crime home to an offender, he must be proved, not only to have made the impression, but to have manufactured the blank, and *vice versa*. These objections were overruled.

Mr Justice Richardson then recapitulated the evidence to the Jury. He said, that the testimony of Bolton, inasmuch as he was an accomplice, ought, as stated by the learned counsel for the prosecution in his opening, to be most scrupulously examined; and if they entertained any doubt upon it, to be altogether discarded. But, however it was, to be regretted that he who was not only an accomplice, but the prime mover, could not be put to the bar,—if it appeared to them that his evidence was supported by such substantial and unimpeached testimony as would not leave a doubt upon their minds, it was then entitled to its full weight, and they would give a verdict according to their consciences.

The Jury conferred together for a short time, and then pronounced a verdict of *Guilty* against all the prisoners.

MURDER.

*Durham Assizes, Friday,
August 13.*

This case, which excited very great interest, was remarkably similar to that of the Ashcrofts. But here only one unhappy woman was in the house. To her murder, however, was added the burning of the house, in order to conceal both the robbery and the murder. In this case, too, as in that of the Ashcrofts, the evidence against the prisoners was entirely circumstantial; but the difficulty was much increased by the lapse of four years since the atrocious deed had been perpetrated.

John Eden, aged 28, James Wolfe, aged 56, and George Wolfe, his son, aged 30, were charged with the wilful murder of Isabella Young, at Herrington, on the night of the 28th August 1815.

Mr Williams opened the case to the Jury. The nature of the charge against the prisoners could not fail to have engaged their attention. Any attempt on his part to excite their attention would be improper, therefore, as being superfluous. But it would be improper for another reason: any thing of exaggeration or inflammation which might withdraw their minds from sober and deliberate investigation would be most improper. But there was in this case wherewithal to rouse their feelings, if he were to dwell upon the circumstances. A young woman, helpless and defenceless, was the person brutally butchered; and the house was set in flames to conceal the bloody deed. Such were the circumstances of enormity and atrocity at-

tending the case they were to inquire into. But their great business was to inquire who were the persons that had perpetrated this atrocious deed. He would shortly state the outline of the evidence to be laid before them. Isabella Young had been in the service of Miss Jane Smith, since Lady Peat, a lady of great opulence, and of singular habits and manners. One of her singular habits was to have only one female servant in her house. Miss Smith had been from home for a week previous to the murder, and had left Isabella Young in her house at Herrington, a village four or five miles from the town of Sunderland. Isabella Young had been alarmed the night before this fatal attempt; she had heard the bar removed from the door, and in consequence had solicited a neighbour to sleep with her on the night of the 28th of August 1815. Her solicitation failed; but that neighbour heard her bolt the door at 10 o'clock. Another neighbour found her about two o'clock next morning murdered. The house had been set fire to; but the fire had not reached the part where she was at the time she was seen, and dragged out. That the murder had been committed by some persons or other would be proved, therefore, beyond all controversy. He would now state to them the evidence which affected the several prisoners. John Eden had been a soldier in the Durham militia, who marched into Newcastle on the 26th of August, the Saturday before this tragedy. It would be proved that he was absent from his regiment on the night of the 28th and the morning of the 29th; and if the Jury would believe one of the witnesses, they would find that Eden called at that witness's house on the evening of Monday the 28th, and told him, that he and two others

were going to Herrington on a very disagreeable business, and spoke of Miss Smith's mouldy money. An idea had prevailed that she had accumulated money; this had excited cupidity; and her retired manner of living gave hopes of gratifying that cupidity. Eden spoke of her mouldy money, and if the witness should be believed,—and he knew no reason why he should not,—they would find him that night upon this very business. Eden had been a keelman. In the evening he had been in blue clothes; and next morning he was seen neatly dressed, and having a bundle, (no unimportant circumstance,) twelve miles from Newcastle. He had every appearance of having changed his clothes. On one occasion he said he could establish an *alibi*, and prove that he was at Newcastle. There he certainly ought to have been, but he would be proved by the muster-roll to have been absent. He would now proceed to James Wolfe. He had held a farm from Miss Smith, and had fallen in arrear with his rent. She had become displeased with him, and got rid of him. It would be proved that he had afterwards, on many occasions, said he would be revenged, and that he was not done with her yet. In addition it would be proved, that in December 1814, on a remarkably windy day, when a wall had been thrown down, and had killed a man, a circumstance that naturally fastened on the memory, Wolfe mentioned to a James Shaw the pretended wrongs and injustice done to him by Miss Smith, and said that he would be revenged. To Shaw he remarked that it would be easy to rob her house. Next as to George Wolfe, he had been remarkably regular in his employment, which was that of a furrier, at Bishop Wearmouth; but on the night of the 28th he was absent, and when he re-

turned on the morning of the 29th, he was observed to have a black eye, and to have scratches on his face, as if done with nails. His first account of it was, "I was drunk, and fell in the streets of Sunderland." On another occasion he said, one of his children had been unwell, and he had risen to get some water for the child, and hurt himself. He was apprehended in Edinburgh and a pocket-book was found with him, which he said he had got from the family of his wife six years before. Lady Peat would prove this pocket-book to have been hers, and to have been in her dwelling a week before the murder. Such was the evidence which would be laid before them; they would weigh it with that measured consideration and that attentive caution which it was their province to exercise; and they would, he doubted not, come to such a conclusion as the evidence warranted.

Mr Holt stated he was counsel for the two Wolfes.

Mr Wilkinson said he was counsel for John Eden.

Evidence was first given respecting John Eden.

Ann Howe lived at Herrington in the month of August 1815, at the time Miss Smith's house was set on fire; she lived fifty yards from the house, and knew Isabella Young well. On Monday night, about half-past nine, Isabella Young came to witness's house to ask her to sleep with her, and said she was frightened to sleep alone. Witness crossed the road with her as she returned to Miss Smith's; it was then a quarter to ten. Witness stopped at the window till she got into bed in the kitchen. Witness heard her lock and bolt the door. Isabella Young told her she might go away when she got to bed, and she went away. She saw her next morning murdered.

John Ramsay lived at Herrington at the time, and was disturbed about two o'clock of the morning of the 29th: he got up and saw Miss Smith's house in flames. He went to the house, ran along a passage, and at the kitchen door saw Isabella Young lying; he dragged her out, and perceived no sign of life in her. She was undressed, and had her under petticoat grasped in her left hand.

John Croduce, surgeon at Bishop-Wearmouth, was sent for, and saw the body on the morning of the 29th. He found two large wounds on the back of her head, and a fracture on the right side of her head. The blows had undoubtedly occasioned her death.

James Lincoln, a seafaring man at Sunderland, knew the prisoner Eden for twenty years. In 1815 Eden was in the Durham militia, and had previously been a wheelman at Sunderland. About five o'clock in the evening before this woful affair happened, Eden came to the witness in his own house, stood on the middle of the floor with his hat on one side of his head, and appeared very groggy. Witness sat in an arm chair, and smoked his pipe. Eden had on a blue jacket and trowsers. He said, "James, I am going to Herrington to-night; will you go along with us?" Witness said, "I don't know." "Why, James?" Eden said. "I am going to Herrington on a very disagreeable piece of business; I don't know whether I should go or not." "Well, John," said witness, "don't go." "Do you know any body about Herrington, James?" Witness said, "Not many." He said, "Do you know one Wolfe?" Witness said, "I know Mr Wolfe, the gaol-keeper, at Durham." He said, "That is not the man; this is a farmer man; he was farmer to Miss Smith at Herring-

ton." He said, "I warrant you know Miss Smith, James." "Aye," said witness, "and her father many years ago." "That," he said, "is the house we are going to to-night, and I expect Wolfe is the man that will go through the business: I would not give a d—n for a man if he cannot go through his business. This is the third night and the last night I shall be at Herrington, and to-night I mean to do something, and I have to be at Newcastle at six o'clock in the morning, for I have run it. If you go to Herrington with me to-night, James, I don't know but I'll be able to give you more money than you can work for, for twelve months." "John," said witness, "I'll not go." He said, "No man need be frightened to go along with me, for I would never give that man or woman leave to stand before me in a Court to condemn me. I don't want you to go into the house with us; I'll tell you what to do when you get there." "John," said witness, "I'll not go." "No, James," said he, "your heart lies in the wrong place; before you go with us, you will sit there till you perish like a thoul." (A pin for fastening boats to; the phrase was common there.) "No, John," said witness, "while I can walk up to the colliery and ask for a bit of bread." "Why, James," he said, "I am sorry at nought, for we shall have to do away with the poor lass before we can go through with this piece of business." Witness said, "Don't go, John." Eden replied, "I promised to go, and go I will. Miss Smith's maiden is a bit of a sweetheart of mine, and to-night I expect to make her confess where all Miss Smith's mouldy money is. The b—ch denied me what I wanted of her; but to-night I'll have her whether she will or not—but I mu'n (must) away." He took a step to-

wards the door, and turned suddenly round to witness again, and said, "James, you need not take any notice of what I have said to you. But I need not mind, for you are not that man able to go through that piece of business. Good night." He then ran down stairs, and witness saw no more of him till about seven weeks after, when the regiment was disbanded; he had no further talk with him. Next morning witness heard the dreadful news that the house was burnt down, and the poor maiden murdered. That was in Sunderland, about ten o'clock. Witness saw Eden and his wife together, when he had been at home about two months: Eden and his wife had very high words. The wife said, when she was felled by him on the floor, "O, you villain! I could hang thee for a word."

Cross-examined by Mr Wilkinson.

He was master of a small sloop, about the conclusion of the war. When the sloop was laid up by the owners, he was out of a birth. He was obliged to sell his furniture, and got his subsistence mostly by going up to the collieries to beg a bit of bread. He came now from the workhouse. He had seen Eden about a fortnight before the 28th of August. Eden had never said any thing of this any other time. Eden had never gone out of the way. Witness never mentioned a word about it till about three years after. He always wished and prayed it might fall upon some person rather than on him to put it forth, for he knew it was a very dangerous business. (To a juror.) It was not from regard to Eden, but because his own life would not be safe in Sunderland, and he must now leave Sunderland, with his four children. A reward of two hundred pounds had been offered. (To the Court.) He could not say he expected the reward: he

would not refuse it. One hundred pounds had been offered by an advertisement from Bow-street-office, and one hundred pounds by Miss Smith. He never knew Savory, but he understood he was a gingerbread-baker at Bishop-Wearmouth. He said, "We have got Savory." He meant that he was in custody upon that charge.

Re-examined in chief.—He spoke of Savory about two months ago. There was a great talk of Savory coming from America. There was a talk that he had brought with him some golden images from America. (Miss Smith was a Catholic.) Hearing that Savory was coming home prisoner concerning the images, he might have said in the streets, "We have got Savory." He meant nothing respecting this murder or robbery, as imputed to Savory, only the golden images, it was said, had been in the house, and Savory was said to have bought them. He had been in the work-house, but never in his life charged with a crime.

By the Court.—He was examined before the magistrates twice, and mentioned the same things. He thought he had stated that Eden had said he must be at Newcastle at six o'clock in the morning, for he had run it. (This was not found in the examinations.)

Edward Kellet was acting as a watchman at Sunderland, when the murder and burning happened. He had known Eden from a child. To the best of his belief, he saw him on the morning he heard of the robbery, between four and five o'clock, betwixt the Town-hall and Bodewell-lane, in Sunderland, having on a regimental jacket, a regimental cap, and white trowsers. He had no side-arms, and was carrying nothing. He was very clean. Another man, who was with

him, carried a bundle. He saw Mr Watkin, Mr Davison, and two other gentlemen on the morning on which he heard of the robbery. To the best of his belief, but he was not positive, that was the morning he saw Eden.

Cross-examined by Mr Wilkinson. Eden did not bear one of the best of characters. Neither of the other prisoners was the man with him.

Elizabeth Clark lived in Herrington, knew Eden by sight, knew Miss Smith's house, and saw Eden in the house on the Sunday afternoon before the robbery. There were some papers on the parlour table before him. What he was doing with them witness knew not. Miss Smith was not at home. Witness did not see the girl. Witness looked, because she was surprised to see a stranger man there. She had seen the girl a little before. He was dressed in a blue jacket and trowsers.

Cross-examined by Mr Wilkinson.—He looked at her, but did not seem alarmed. When she saw him at the time she was before the Magistrate, she had not the presence of mind to recollect that it was the same man. But upon recollection she afterwards became perfectly satisfied that it was the same man.

Ann Howe (again) saw Isabella Young on the Sunday, in the afternoon, standing at the door, and walked with her about half-past seven, towards Sunderland, about a mile from Herrington. They met several men, and one man in sailor's clothes, with whom they entered into conversation: witness never saw him before: Isabella Young was acquainted with him: he was a tallish man, pock-fretted, with a thinnish face. Witness left Isabella Young with him for about ten minutes. He had asked Isabella Young how she was. After he had left them, he called to Isabella Young, that he

would be up some night that week: she said, "Well John, I don't want you." John Eden, the prisoner, was the man; she was certain of it.

Cross-examined.—He was coming from Sunderland: he was very mild when he spoke. She was never sent for to be examined before Tuesday last: she could swear that was the very man.

John Close was in the Durham militia in 1815, a corporal. They marched into Newcastle on the 26th of August 1815. John Eden was in the same company. He had a wife. A guard report was kept in order to mention the prisoners confined, and the nature of the crime. John Eden was absent from the company on the 28th day of August. Witness recollected that very well. Eden had been absent on the evening parade of Sunday, and the whole day Monday. The report he held in his hand had been made by his direction, and in it he was entered absent for two days. (The report was unintelligible to the Court, and was most unintelligibly explained by the witness.)

Evidence was next given with respect to George Wolfe, the son.

William Boyd, a police-officer of the city of Edinburgh, had searched the flat (floor) occupied by George Wolfe, on the 27th of October last, and found a pocket-book in a chest, which was not locked. His wife and three officers were with him. That shown was the book; he had made a small tear upon it for a mark. George Wolfe had not been present.

Cross-examined by Mr Holt.—At that time Wolfe was employed as a furrier, with Grieve and Scott. Wolfe was not present. He was sent to England about the 8th of November. Witness saw him again at Edinburgh, in the Cowgate, at large.

Lady Peat (an elderly personage, of peculiar appearance) remembered having Isabella Young in her scr-

vice, and had gone from home about the 17th of August, to a considerable distance. She left very great and very valuable property; she left that pocket-book (found in Wolfe's room) in her desk, in her own room, above the kitchen. She was quite sure it was the book.

Cross-examined by Mr Holt.—Before Dr Grey, about six months ago, she did not swear to the pocket-book, because she did not like to incur more trouble and expense, having lost so much valuable property. She did not wish for a prosecution, having had so much trouble, and believing herself unequal to a prosecution. The prisoner was discharged; but she then knew it as well to be her pocket-book as now. There were Bank-notes in it, kept for the use of the family. She lost about four more pocket-books.

Re-examined in chief.—She had had frequent occasion to see the pocket-book for taking money out of it. The reason of her reluctance to swear to the pocket-book was, that having lost her house containing many ancient and valuable things, she was unwilling to incur expenses and trouble. She had discharged Mr Gregson, the solicitor, from bringing a prosecution.

Mr Baron Wood.—So the murder of a poor servant girl was not worth prosecuting!

Her Ladyship began a speech in reply, which threatened to be very long, but his Lordship soon expressed himself satisfied.

David Sinclair had been in the service of Messrs Mouncey and Richardson, furriers, in Sunderland. George Wolfe was in the same employ. On Monday, the 28th of August, witness was at work, but George Wolfe was not there on that day. Between eight and nine on Tuesday morning when he came to work, his left eye was black, and his left cheek

scratched. There were three scratches from his eye to his whiskers. The prisoner did not say how he got the black eye and the scratches.

Cross-examined by Mr Holt.—It was not uncommon for workmen to be absent on Mondays. Wolfe did not come on Tuesday so early as usual. He staid at the work about thirteen weeks after. Witness never saw him have a black eye before. He had given this evidence first in November last, when Wolfe was taken and discharged, notwithstanding this evidence. When report came of Wolfe the father having been taken, and brought from Carlisle, there was a talk in the factory of the black eye and scratches on Wolfe, the son, and witness remembered it from circumstances.

Mr Nicholas Fairless, a magistrate, proved the declaration of George Wolfe, and that the book produced was the one presented to Wolfe at the time, and he felt strongly impressed, from Lady Peat's countenance, that she knew the book, although she declined to swear to it.

The examination was put in evidence. It stated that the pocket-book had been his wife's father's, and had come to her from her father when he died six years ago, and had been in her possession ever since.

The evidence now respected James Wolfe, the father.

Lady Peat (again) said, the elder Wolfe had been her tenant, and ceased to be so in hay-time in 1814. He paid very badly, and had gone off without paying, although she had declined to execute a distress which had been got against him, with the hope that he could sell to greater advantage. He afterwards said that he would be revenged, and that he was not done with her yet: he said so at five or six different times. The house he lived in was left damaged.

Cross examined by Mr Holt.—He

did not pay all his rent. She did not go to a magistrate to swear the peace against him, because she did not wish to aggravate a revengeful man.

James Shaw, a gardener, at Sunderland, worked with James Wolfe at a quarry, about the latter end of 1814, and remembered a particularly windy night; it was a Friday night; a wall had fallen and killed a man. On that day witness and Wolfe had a conversation, about some having so much and some so little. Wolfe remarked how much that b—ch, Miss Smith, had, and that he would think nothing of robbing her house. Witness said, it would not be easy done, as there were so many houses. Wolfe said, if witness knew what was good for him, he would go with them: he knew a back way by which it was easy to enter the house. He added, that witness had a—d had heart in his belly to be in such poverty. On the next morning, Wolfe asked witness, if he had thought upon it, and made up his mind. Wolfe asked witness to go to take a view of the house on Sunday, and said he would himself go a part of the way, but not to Herrington, for he should be known. Witness engaged to go on Sunday, in order to view the house. Wolfe had said, that Miss Smith had distressed him as much as she could, and said, “D— her, I’ll be revenged; no one will be sorry, if she were robbed.” Witness said, it would be poor revenge to put his life in danger. Wolfe said, if he had other two with him, it would be easily done. Witness said, she would be sure to make an alarm. He said he would soon put a stop to that: if she did, he would think it no sin the killing of her. James Wolfe, the prisoner at the bar, was the man.

Cross-examined by Mr Holt. — Wolfe had been a stranger to witness

before that. Wolfe made dead sure of witness going with him. From June to September 1815, he worked at Bridlington-quay in Yorkshire. He heard of the reward offered. When he saw the bill, stating the murder, at a public-house in Easington, on the 6th of September, he said to the landlord, Harrison, “D—n it, I know who has been at the bottom of this!” He was taken before the magistrate on the charge of being himself concerned, and was bound over; he was not committed.

Cross-examined by Mr Wilkinson. —Wolfe did say he knew a man that would join us.

Re-examined in chief.—That man, Harrison, (pointed out,) was the landlord to whom he made the remark on seeing the bill. (Mr Williams remarked that he could not call Harrison, but the prisoner’s counsel might call him.)

Edward Wright took a public-house first in the year 1816, in Sunderland. He knew George Wolfe and Eden by sight: they used to be in the habit of frequenting witness’s house. Once on a Saturday night they were together, but witness did not know whether they knew one another.

John Eden, in his defence, said, that he had never seen James Wolfe in his life, till he was prisoner with him.

James Wolfe said, there was not one word of truth in what Miss Smith (Lady Peat) told concerning him, and that he had never seen her since he left the farm till now.

George Wolfe said he was innocent, and knew nothing at all about it.

Witnesses were then called for Eden.

The Rev. Sir Robert Peat said, that Eden had been committed about twelve months since, some time af-

ter the commitment of James Wolfe. He saw Eden before his commitment. Eden always declared that he was perfectly innocent.

Thomas Tarn, Sir Robert's servant, was present at the searching of Eden's house. Every part was readily shown to them, and they found nothing.

Cross-examined.—It was in December last.

Mary Smith trades in glasses, &c. She had known Eden for ten years: he was a keelman, and lived then with his father and mother: he was now married. About six years ago he brought his wife to her house in Newcastle to lie in of her first child. She remembered the Durham militia marching into Newcastle on a Saturday, about four years ago. It was about the time of this murder. She saw Eden then, and saw him next day between one and two o'clock. He was in liquor then, and very drunk. He staid till the Monday morning. She and her family lived with them all the time. If he had left the house she must have known it. She had been then a widow.

Cross-examined.—Her mother and daughter, and two sons, lived with her. The daughter was now eighteen, the eldest son twelve. Her mother was still living. None of them were here; they had not been called on. Eden was to have married her for her second husband, but it was not her lot.

The jury here wished to have two witnesses called respecting Eden's absence from the regiment, and they were called.

Sergeant-Major Simpson said, that he recollected Eden being reported absent on the morning and evening parade on the Sunday, and the same on Monday, and did not see him till Friday, but to the best of his belief it was reported to him on Wednesday or Thursday that he was in cus-

tody. He had ordered non-commissioned officers to search for him.

John Richardson, a sergeant in the Durham militia, said, that Eden was absent from parade on the Sunday morning and evening, and the same on Monday. He recollected that he found him, he was almost sure, on Tuesday evening, at least on Tuesday or Wednesday, in a public-house in Newcastle. He was rather tipsy. He was taken to the guard-house, and was in confinement for two or three days.

The Reverend Dr Grey, one of the acting Magistrates, said, that when George Wolfe was brought before the Magistrates, in October, last, Lady Peat was there, and two pocket-books were produced; and upon Lady Peat being asked if she could swear to either of them, she said she could not. He drew her attention to a red and green one as rather remarkable; she said she could not swear to it, and said one book was like another.

Cross-examined.—She expressed herself dissatisfied with the proceedings.

Dennis Turnbull, a shoemaker in Sunderland, was with George Wolfe in a public-house on the Sunday before the murder. Wolfe and John Bellwood quarrelled, and Bellwood struck him on the eye. Witness interfered for Wolfe, and that made him recollect it. George Young was there. It was the Life-boat public-house.

Cross-examined by Mr Williams.—The reason why he recollected it was the Sunday before the murder, was only that he could recollect it. (This answer was repeated several times.) It was the right eye, he believed, because he thought so, but he could not rightly swear. He did not see the scratches. The eye was black on the Sunday night. He

knew Wolfe from a child. He mentioned this first when Wolfe was brought from Edidburgh. That was the first time he thought of recollecting it.

Mr Holt here remarked upon a hand-bill, purporting to be a true and full account of the murder, and representing that the prisoners had voluntarily confessed it.

Mr Baron Wood said, that it was highly improper to circulate any thing of the kind.

All the jury declared they knew nothing of it.

Mr Baron Wood recapitulated the evidence, and made several remarks on the various parts of it. The evidence consisted wholly of circumstance. All must feel the highest indignation against the perpetrators of the horrid crime committed; but they must not suffer their feelings to carry them to conviction without full proof. If they were satisfied without doubt that the prisoners, or any of them, were the perpetrators, they would find a verdict of guilty.

The jury retired about half-past two o'clock, and did not return till four o'clock.

Their approach excited a visible sensation throughout the multitude assembled in Court. When the foreman pronounced the verdict of *Guilty* upon *John Eden*, the general feeling could no longer be suppressed. A similar expression was repeated when *Guilty* was announced as the verdict on *James Wolfe*. *George Wolfe* was found *Not Guilty*. The two wretched convicts stood unmoved. *George Wolfe* bowed his head, and was scarcely able to utter, "I thank you," when he heard himself acquitted.

When they were asked successively what they had to say why sentence of death should not be pronounced,

John Eden said he was innocent, and went into a confused statement of perjuries against him, and of his having never seen the man in his life.

James Wolfe said, he was innocent as when God made him. He had been at Cockburn when the thing was done.

Mr Baron Wood pronounced the awful sentence of the law.

BURGLARY.

Cork Assizes, Thursday, August 19.

John Crowley, *Henry Dennehy*, *John M'Centhy*, *Michael Linehan*, and *John Ambrose*, were put to the bar, charged with a burglary in the house of *Mrs Minton*.

Mrs Minton being sworn, deposed, that she resided at *Beechmount*. On the night of the 18th of June the house was attacked at about eleven o'clock. The family were in bed, and were alarmed at the noise of breaking in the windows. She did not see any of the robbers, but afterwards missed a plated bread-basket, two toasters, and a bed-chamber candlestick and snuffers.

William Carroll, an informer.--The evidence of this and the following witness developed a scene of confederacy and villany, which, we believe, has seldom been equalled. He knew the prisoners, he said, and accompanied them to rob *Mrs Minton's* in June last. It was twelve o'clock when they attacked the house, with a sledge hammer which they took from a smith's forge the night before, and with which *Crowley* broke the window. Five of them remained outside, among whom were *Dennehy* and *Linehan*, to give the alarm, if any one was coming. After getting in through the window, they broke

the parlour door, and then the hall-door, in order, if there was a pursuit, to get off. The sentries outside whistled, and they went off with the property.

The following is the cross-examination of this witness by Mr O'Gorman :—

If all the robberies you ever committed were put together, how many would they make?—I don't know; I am not long robbing.

How long are you robbing?—About twelve months.

In that time how many robberies have you committed?—Only five.

In any of these robberies were you ever opposed?—No.

If you were, would you not have murdered whoever opposed you?—I would! (*A thrill of horror run through the audience.*)

Were you tried at the last assizes?—I was not; I was arraigned.

For what?—For pig-stealing.

Did you ever rob the same man a second time?—I did.

What was his name?—Condon.

Did you rob him a third time?—I did not.

Did you ever rob your own daughter?—I did not; I am not old enough to have a daughter who could have any thing of her own.

How many wives have you had?—I was only married twice.

Are they alive?—No, they are not.

What happened to them?—They died regularly.

How regularly?—One of them had been drowned.

What drowned her?—'Twas the water drowned her.

'Twasn't you, was it?—No, it wasn't: I wasn't there; she went into it herself: she was coming out of a boat, and had half a mile of strand to go; and that's the way she was drowned.

Which of your wives was that?—She was the one I wasn't married to.

What happened to your other wife?—She died in her bed.

Where were you then?—I wasn't with her.

Did you ever rob Mr Timothy Lane?—No.

Did you ever fire at him?—No: but I seized a man who did, who was hired by another man to fire at him.

What happened to that man?—He was hanged.

Did you inform against him?—I did.

Did you ever rob your brother?—No, I didn't.

Did you ever commit a robbery near Youghal?—No.

Were you ever in the army?—I was.

In what regiment?—I was in the 24th, and in the North Cork, and the Kerry militia.

Did you desert?—No, I was discharged at the peace, after coming from France.

How did you live there?—On whatever was going.

Did you pay for it?—Sometimes I used, and sometimes I used not.

Were the articles charged in this robbery found in your possession?—They were in my lodgings.

Timothy Murphy, the smith from whom the sledge hammer was taken, was called merely to prove that fact; he could not tell by whom.

Philip Torpy.—This was another of the gang, and though not present at the robbery in question, was inferior to none of his associates in villany. He was coming from Bandon with Dennehy and another man not present, and inquired from a woman whom they met with on the road, who lived at Mrs Minton's, whether she was a widow, had any sons, and any money; and having obtained the necessary information, came to Cork,

and communicated it to the rest of the gang, who agreed, when they got arms, to go and rob the house.

Cross-examined by Mr O'Gorman.--How many robberies have you been guilty of in your life?—A great many.

When did you commence robber?—Last assizes.

You were then tried, weren't you? No, I wasn't.

But you were in gaol?—I was; but I was discharged.

How long after you were discharged did you commit the first robbery?—About a week.

Whom did you rob first?—Callaghan M'Carty.

Did you get any money from him?—No.

Whom did you rob next?—One Lloyd, a farmer at Carrigtwohil.

I suppose, if you were opposed on either of these occasions, you would have committed murder?—*To be sure I would!*

Where did you rob the third time? At a farmer's at Dunmanway.

Did you get any money there?—Sixty guineas in gold.

What did you do with them?—We spent them.

But you're quite sure if any body opposed you, you would have murdered them?—*To be sure we would!*

The Chief Baron told the jury, that the five prisoners were capitally indicted for burglary and robbery. No doubt the burglary and robbery were proved to have been committed; but there were no witnesses for the Crown of unimpeachable character, and there was no instance of an execution having taken place in this country upon such evidence. The witnesses were in that situation, covered with crime, and, according to their own confession, ready to commit murder, that they ought to be regarded with caution and doubt.

Somebody should be produced to show, either that the prisoners were near when the robbery was committed, or that the articles were found in their possession, or some circumstance should be adduced to connect them with the transaction. The two witnesses who were examined just so far corroborated each other as one desperate character would another; but here the evidence closed: and though it was his duty to tell the jury that this was legal evidence, it was also his duty to tell them they should be slow and unwilling to believe it. The jury without hesitation found verdict of *Not Guilty*.

CHARGE OF MURDER.

Lancaster Assizes, Friday, September 10.

Thomas Corrigan, aged 27, was tried for the murder of James Holt at Rochdale. (In the case of the person here arraigned, there was this peculiarity, that the Grand Jury had thrown out the bill against the prisoner, who was tried on the Coroner's inquest for murder.)

M. Coltman detailed the circumstances to be proved in evidence.

Betty Holt, widow of James Holt, lived in Yorkshire-street, Rochdale: her husband went out a little past eleven o'clock, for the purpose of drinking some beer at the Crown Inn on the 9th of August. He came home a little before two, threw himself on his bed, and bemoaned himself very much, saying he had been stabbed. She found two wounds on his head, and a three-cornered wound, as by a bayonet, on the right side of his breast. He said he was killed: and he was told by the doctor on the 12th that he could not get better. On Friday the 13th, the day of his death,

he told her that he had met a soldier who struck him with his naked bayonet, without saying any thing to him.

Mr Abraham Wood, surgeon at Rochdale, attended the deceased, and examined his body: a bayonet wound in his belly had occasioned his death.

James Brien, private in the 88th, said the prisoner at the bar and Philbin were privates in the same regiment, and in the same quarters. He saw them together a few minutes before nine in Yorkshire-street. They had no side arms. He left them in the Hare and Hounds, returned home, and went to bed. Philbin came afterwards to his door about twelve, and was let in by witness. Philbin got his bayonet, and went out again. In about fifteen minutes Corrigan came in, and got his bayonet. Very near an hour afterwards witness heard a rap at the door; he got up and let the prisoner in. As soon as he had let him in, a stone was struck at the door. Corrigan threw himself on the broad of his back in the bed, and said in all he went through, he never was so near being killed as that night; he said his legs were all cut with kicking. A great deal of men then came about the house, and were insisting on having the door opened. Witness asked what they wanted. They said they wanted the soldiers. They threatened to break open the door. A few minutes after they had gone, Philbin came in.

Prisoner.—I have no question to ask but what he has said.

Patrick Philbin was going with the prisoner to their lodgings from the Three Tuns, about half-past eleven. They met Cornelius Corrigan, a soldier, and one Waugh, who asked them to go into a public-house to get some beer. They went to the Crown, and got some pints of beer.

As they were going up Blackwater-street, a number of people were going before them. One of them turned back and cried, "Hurra, Pat, how does the bull go? Did you come from Scotland to kill us?" (They had come from Scotland on their last route.) Upon that, five or six of them turned back, and began to kick witness and his party. Witness went off, and did not know how he lost Corrigan. He met a man of the name of Leach at the church. They had no side-arms, by which he meant bayonet, scabbard, and belt. They had no arms at the Three Tuns. Witness went home after they had been beaten, and found Corrigan had not then got home. He took his bayonet, and went out again, when he met Leach. Corrigan came up soon afterwards, and struck Leach a blow over the eye with his bayonet. Two or three then came up to witness, and asked his bayonet. Witness soon saw a man in his shirt running after Corrigan, with a stick in his hand. Corrigan was running off. He had run off as soon as he had struck Leach. Witness saw no more of Corrigan till he saw him in his lodgings. He was knocked down, and his bayonet taken from him. Upon going home, he found about twenty men at the door: they were saying, "Here is where the murderer went in, and we'll not leave till we have him out." The watch and guard came up, and took up one of the men. Witness was then let into his lodgings. He found Corrigan there, who asked him where his bayonet was, and added, "Don't it, what made you give up your bayonet? Why did you not stick them as fast as they came across you; for I have put four inches of my bayonet into one of them." Next morning Corrigan took his

bayonet out of the scabbard, and was about ten minutes cleaning and wiping it.

Prisoner.—I have nothing to ask him but what he has said.

Edmund Leach was struck over the head with a bayonet by another soldier, while he stood by Philbin. He had said nothing to the soldier before: when struck, he asked why he had done that. The soldier said, "By the holy Jesus, I'll seize your heart with it." Witness went to the Beaver, where the soldier was. Hanson said to witness that the soldiers deserved a beating. Witness afterwards pointed out the soldier who had struck him to his father. His father seized him by the collar. The soldier, who was the prisoner, got loose and ran off. Witness's brother called out, "Stop thief." A number of them pursued the prisoner with that cry to his lodgings. He got in, but they could not get in.

Prisoner.—I have no questions to ask. I don't know him.

Robert Stott saw a soldier running through Blackwater-street, at half-past twelve, and a number after him calling "Stop thief." He made a click at him, but fell, and the soldier fell over him. The soldier got up, and went off. He drew his bayonet, and swore if any man went near him, he would run him through. He then got into his quarters.

Prisoner.—I ask him no questions. I don't know him.

Elizabeth Hoyle, wife of John Hoyle, saw a soldier going along Cheetham-street, between twelve and one. She saw him meet a man, who said in reply to something, "The next street is Toad-lane, and the next is Blackwater-street." The soldier went forward, and the man came on and passed witness. When he had got twenty yards past her, the soldier came running back; she

did not know if it was the same soldier; he overtook the man and struck him. The man fell to the ground. She did not see any weapon, but by the sound of the blow she thought he had a weapon. The man offered to get up, and the soldier struck him again, she believed, two or three times. She saw the man get on his feet and go away. Another soldier came to the soldier that had struck, and that took her attention from the man. They stood a little and talked, and then came back both together towards Toad-lane. Soon after, she heard a cry of "Stop thief." It might be five minutes afterwards. At the same time, she saw a soldier running, and two men and a woman after him.

John Holt saw the prisoner next day opposite the Reed Inn meet another soldier. The other soldier asked how he was. The prisoner said, "I am in trouble for sticking a man last night; but if I had to do it again, I would do it. D—n and seize the man that would not. Last night, I was surrounded with half a score of young men. They shoved me, and called me an Irish b—, and I was determined that some one among them should feel the contents of my bayonet. If any man in Rochdale gives me the least offence, I'll stick him to the heart, and ——— to the man that is stuck."

By the Court.—He was examined before the Grand Jury.

Mr Baron Wood.—It is very odd.

Prisoner.—I never said a word of what he has sworn to.

Examination by the Court resumed.—He was not examined before the Coroner. He mentioned this that very day to several—to James Barford and to John Sutcliff. Some one mentioned it to Wrigby, the constable, who fetched him to give evidence. He was about a yard from

the prisoner. About half a dozen came up to witness at that time.

The prisoner, in his defence, said, that as he was going home he met nine or ten men, who said, "You Irish rascal, do you come here from Scotland to keep us down?" One of them spoke up, "Go the rig!" another of them knocked him down, kicked him, and trampled upon him. He called out "Mercy!" One came up and said, "Don't kill the soldier." He got off, but they got hold of him, and treated him in the same way. They followed him to his quarters, and threatened never to leave the house till they had his life. There was not a word of truth in what that man said. He had been a long time in the army, and had been in six engagements, and could never do the like.—(After a long pause) I am quite innocent, my Lord, of this business laid to my charge.

Brien recalled, said the prisoner came in the second time about one o'clock, and never was out after that.

The Court called Cornelius Groggen, who had been subpoenaed for the prisoner. He merely gave an account of the affray in which Corrigan was unarmed.

Groggen, in cross-examination, said, that Corrigan had asked of a friend, who had seen the bayonet, if there was any blood upon it. This was when Corrigan was apprehended, and his bayonet ordered to be brought.

Edward Waugh gave a similar account of the affray in which Corrigan had no bayonet.

Mr. Baron Wood, in course of his summing up, remarked that it was very extraordinary that the Grand Jury had thrown out the bill. They were not to consider this as conclusive proof in favour of the prisoner.

Upon the evidence, the Grand Jury might have at least put the question in course of trial. 'This was all he meant to say upon that point. The case was attended with much difficulty. If they were satisfied as to the identity, the next question was, whether it had been murder or manslaughter. The prisoner had been exceedingly ill used; and if he ran for his bayonet and killed the man, supposing him to have been one of those who used him ill, in the heat of passion, and without time to cool or reflect, he was guilty of manslaughter. If he had time to reflect and cool, and if he deliberately killed the deceased, he was guilty of murder.—*Guilty of Manslaughter.*

INFLECTING WOUNDS WITH INTENT TO MURDER.

Old Bailey, Saturday, September 18.

Henry Stent the prisoner was put to the bar. A London Jury having been called, this unhappy man was arraigned upon an indictment, charging him in the usual form with having inflicted diverse wounds upon the person of his wife, Maria Stent, on the 5th of August last, with intent to kill and murder her, or to do her some grievous bodily harm. He pleaded not guilty. The Jury was then sworn. There was no counsel for the prosecution, and Mr Justice Best called Maria Stent, the wife of the prisoner, who stood up in the witness-box, and was sworn. She seemed to be greatly agitated.

Mr Alley, one of the counsel for the prisoner, instantly rose and addressed the Court. He said he was not aware that this witness would have been called so early in the proceedings; but being in the box, before she was examined he felt it his duty to submit, that as against her husband her evidence was not admissible. He had searched the books with great diligence for cases in which wives had been admitted as witnesses against their husbands; but found none except that of Lord Audley, the circumstances of which were very peculiar, and even the authority of that case he had heard questioned. He recollected one case in which the question would have arisen, but the bill was ignored. Nevertheless, the opinion of Justice Buller was, on that occasion, against the propriety of the testimony of the wife being received. He knew of no instance, except in the case of a rape, where the testimony of the wife was received against her husband.

Mr Baron Graham said, that there were many cases in which the wife was considered a fit witness against her husband, particularly in one where she was in a state of danger from injury which she had received from him. In such a case, where the wife had died, her deposition was subsequently received against her husband as evidence of the fact.

Mr Alley said, that the principle upon which the evidence of a wife against her husband was rejected, was, that if it were admissible, it would tend to excite disagreements in the marriage state. Where a woman spoke "*in periculo mortis*," this principle did not apply, and therefore the evidence might be received; but this was not the case in the present instance.

Mr Adolphus addressed the Court

in support of Mr Alley's objection.

Mr Justice Best said, that he had not the least doubt as to the admissibility of the wife's evidence in this case, or in any other case of the same description; and this opinion was founded upon the principle, that a married woman, like every other subject of the realm, was entitled to the protection of the laws, which would not be the case if the objections now taken were well founded. There were many descriptions of personal injury to which a wife was subject, independent of that to which allusion had been made, which her evidence could alone support; and if her testimony were as a matter of course to be rejected, she would be altogether without the pale of the law. The decision in Lord Audley's case was perfectly analogous to the present; and the principle upon which the evidence of Lady Audley was received was precisely the principle upon which he should admit the evidence of Mrs Stent. Whatever might be the opinion of individual judges on this question, the opinion of the House of Lords, assisted by the Twelve Judges of the land, was of too solemn a nature to be easily disturbed.

Mr Baron Graham was entirely of the same opinion; and his judgment was founded not alone upon the case of Lord Audley itself, but upon a long experience, in which he had repeatedly seen the principle laid down by his learned brother acted upon. The decisions in those cases might not be found in the books, from the universal acquiescence which they had received.

Mr Justice Richardson agreed with the other judges, that the evidence of Mrs Stent ought to be received. It was a general rule, with very few exceptions, that a wife was an admissible witness against her

usband in cases of personal violence.

Mrs Stent was now addressed by Mr Justice Best, when she entreated that she might not be called on to give evidence against the best of husbands.

Mr Justice Best.—I am extremely sorry to give you pain; but it is my duty to ask you some questions, which it will be your duty to answer.

Is your name Maria Stent?—Yes.

Is the prisoner your husband? Look at him. (Here the witness turned towards the prisoner with a look of great anguish.)—Yes.

I believe you separated from him for some time?—Yes.

When did you leave him?—On the 29th of August 1818.

Where did you go to?—To France.

When did you return to England?—I returned to London in August 1819.

Where did you come from when you came to London?—From Liverpool.

To what inn did you go?—To the Saracen's Head.

Do you recollect the day you returned?—On the 5th of August.

Where did the prisoner live at that time?—At Pimlico.

Did you send any letter or message to him?—I sent a letter.

On what day?—On the 5th of August.

In the course of that day did you see your husband?—Yes.

Where?—At the Saracen's Head.

He came to you?—Yes.

At what time of the day?—Between seven and eight.

As you recollect, state what passed.—I have no recollection of what passed.

Did any thing happen?—Yes.

What did you first recollect?—Being in bed in St Bartholomew's hospital.

What was the matter with you?—I was wounded.

Where were you wounded?—In the neck.

Any where else?—Yes, there were other wounds.

How long were you confined in St Bartholomew's Hospital?—A fortnight.

Have you any recollection of the prisoner's coming into the room to you at the Saracen's Head?—Yes.

Who came in with him?—I do not recollect.

Were you alone in the room?—Yes.

Before you went into the room, had you any wound?—No.

Afterwards the first thing you recollected was being in bed in St Bartholomew's Hospital?—Yes.

Cross-examined by Mr Alley.—Your feelings overpowered you when you saw your husband, and you have not the least recollection of what happened afterwards?—Yes.

You said you did not wish to give evidence against the prisoner, because he was one of the best of husbands?—Yes.

How long were you away from him?—About twelve months.

George King, a waiter at the Saracen's head, Snow-hill, looked at the last witness: he recollected her coming to the Saracen's Head on the 5th of August, and writing a letter, which was sent by a porter to the twopenny post-office; the woman afterwards remained in the house. The prisoner came to the Saracen's Head in the evening, and inquired for a young woman who had arrived by the Liverpool coach, and he was introduced to the last witness. She got up to meet him, and witness shut the door. In ten minutes witness heard the shriek of a woman, and immediately went to the room in which he had left the prisoner and the wo-

man. On arriving, he found his two fellow servants in the room. The woman was on her back; the prisoner was standing close by her; a knife was lying on the floor; it was bloody. Witness discovered that the woman was wounded, and went for an officer. The woman said she hoped no harm would happen to the prisoner for what he had done, for she had been a base wife, and he was one of the best of husbands.

Thomas Pithouse, also a waiter at the Saracen's Head, remembered the arrival of Mrs Stent. She continued in the house till the evening. About half past six he heard a shriek from the parlour. He entered the parlour with Turner, the porter, and perceived the woman on her back, and the prisoner with his knees apparently upon her. Turner said, "Thomas, the man has got a knife." Witness looked, and saw the knife. (The knife was here produced.) That was the knife. Witness saw the prisoner stab the woman in the neck. He attempted to take the knife, and the prisoner dropped it on the floor. After he had struck the blow, the prisoner said, "I have accomplished my purpose; I wish for nothing more; I shall suffer for it, I know I shall." The woman directly exclaimed, "You have! you have, Henry! but I freely forgive you, and I hope the law will take no hold of you, and that no harm will come to you. I freely forgive you." She then asked him to kiss her. He kneeled down and kissed her twice, which she returned. She said he was the best of husbands, and she was the worst of wives: she highly deserved all she had got. The woman was taken to the hospital. When witness first entered the room, the woman exclaimed, "Take him away; he'll murder me."

Thomas Turner, another waiter, corroborated the preceding witness's

evidence. Witness went into the room, on hearing the shrieks of a female. He saw Mrs Stent lying on her back; the prisoner was kneeling on her. Witness observed the prisoner stab her in the front of the neck. He said, "I have accomplished my purpose." Witness desired Pithouse not to let the prisoner escape, while he went for a surgeon. Prisoner said, "I don't wish to escape." An officer was immediately sent for. Before his arrival, witness said to prisoner, "You're a rash man, you've accomplished your death warrant." Prisoner observed, "I have had sufficient cause, she has behaved basely to me." Mrs Stent said, "Indeed I have been a base woman to the best of husbands." She then requested to be raised up, and witness lifted her between his knees. She requested him (her husband) to take her hand and kiss her, which he did, twice or thrice. She said, she freely forgave him, and hoped her fate would be a warning to all bad wives.

John Hodson proved that he took the prisoner into custody, and searched him; he found a letter in his possession. The letter was produced. It proved to be the same which had been directed to him by his wife. Witness asked the prisoner how he could commit so rash an act. He answered that he had done it, and he knew he should suffer for it.

Mr Henry Benwell, house surgeon of St Bartholomew's Hospital, recollected Mrs Stent being brought to the hospital on the evening of the 5th of August. She had several wounds: one, on the lower part of the neck, had penetrated the windpipe; it was a dangerous wound, and might have occasioned her death. But it was possible she might have recovered without a surgeon. She had another wound on her chest, a superficial cut; a third on the right breast, a stab; a fourth in her right side,

of considerable depth, which had wounded the right lung; this was likewise a dangerous wound. There was a fifth wound on the right arm. The wound in the lungs might have occasioned her death. The knife produced was such an instrument as would inflict these wounds.

This was the whole of the case for the prosecution.

Mr Justice Best now addressed the prisoner, and intimated that if he had any thing to say in his defence, the period had now arrived for so doing.

The prisoner said he would leave his case entirely in the hands of his counsel.

A vast number of witnesses were then called on behalf of the prisoner, all of whom appeared to be persons of great respectability. They stated, that they had known him for many years, and had always believed him to be as kind-hearted, humane, good-natured man as any in existence, and a particularly affectionate and indulgent husband. It was impossible, in fact, to imagine testimony more favourable than was given by these persons, who all seemed actuated by the strongest sympathy towards the prisoner.

Mr Justice Best proceeded to sum up the evidence. He deeply regretted the important and painful duty which, in the present case, devolved upon himself as well as upon the jury. Painful, however, as that duty was, he felt no doubt that they would discharge it in a proper manner. The Learned Judge then explained the law upon the subject. From the evidence detailed, and which he should again read over to them, no doubt could remain on the mind of any unprejudiced person that the crime charged upon the prisoner came within the provisions of that most excellent act of Parliament introdu-

ced by the late lamented Chief-Justice of the King's Bench, for the protection of the subject's life. Though it did not appear in evidence upon the present occasion, the fact, however, might fairly be assumed, that Mrs Stent, the unhappy woman who appeared before them on that day, had forsaken her husband, and by proving unfaithful to his bed, had inflicted upon him the most poignant anguish, the most acute suffering that a man devoted to a wife could possibly endure. This, however, could by no means be admitted as a justification of his crime. The law of the land upon this subject proceeded upon the same principles as the religion of the country, which was Christianity. If a husband detected his wife in the very fact, *in flagranti delicto*, as it were, and that at the moment he plunged some deadly weapon in her bosom so as to occasion death, it would not be considered murder. The law, like the religion of the country, making fair allowance for the frailties of human nature, considered the husband, with such provocation immediately before his eyes, as no longer under the guidance of reason, and of course not accountable for his acts. Here, however, the circumstances were quite different. A considerable time had elapsed since the elopement of the first witness, and on her return she manifested those symptoms of repentance—that appearance of returning affection, which might well be supposed to disarm vengeance, and prevent that ferocious purpose which the prisoner appeared to have deliberately contemplated. Even while her blood was flowing from the wounds inflicted, she still entreated him to kiss her; and in that kiss conveyed a pardon to her assailant. Under circumstances such as these, the law did not admit of the same excuse as

when a husband detected his wife in the very fact. Sufficient time having been given for cool reflection on one side, and for repentance on the other, the law, proceeding on the same principle as the benign religion which it imitated, did not allow vengeance to be inflicted with impunity. After some further observations, which the Learned Judge delivered with great talent and feeling, he summed up the evidence at length.

The jury then retired, and after consulting for about half an hour, returned with a verdict of *Guilty*, but recommended the prisoner strongly to mercy, on account of his good character.

Mr Justice Best. — The recommendation shall certainly be forwarded.

CONVICTION OF JOHN HOLMESBY FOR THE MURDER OF HIS WIFE.

Old Bailey, Friday, October 29.

John Holmesby was indicted for the wilful murder of Ann Holmesby, his wife, on the 28th of September, in the parish of St John, Hackney, by striking her with an axe upon the head, of which wound she died. The prisoner was a mild-looking decently dressed young man, and behaved himself at the bar with great composure. He shook hands with some friends whom he recognised in front of the dock.

Mr Walford opened the pleadings.

Mr Alley stated the case for the prosecution, and detailed the nature of the evidence he had to adduce against the unfortunate prisoner, exactly as it was given in the following evidence.

The first witness was Esther Surrey, who gave her evidence as follows:—I am a single woman, now residing at the work-house at Ho-

merton. In September last I lodged in the same house with the prisoner; it was his wife's father's house. In the latter end of that month, I believe the 28th, on Tuesday, the prisoner and his wife went out together about three o'clock in the day. (The prisoner here exclaimed, "Please you, my Lord, that's false.") I did not see them again until they returned about half past six o'clock in the evening; but I do not know whether they came in both together or not. I first saw them at the stile talking before the door with another man, where they staid about a quarter of an hour before they entered the house; but the man did not come in. His name was John Lawrence, and the prisoner was very jealous of him, for he afterwards said he had caught him that evening with his wife; he said this when he came within doors, and when he had some words with the deceased, whom he called a w——, and charged with being with this man. She replied he was a liar. He then asked her to go to bed, she said, "Yes." They both then went into the bed-room together, as I thought, to go to rest. They then both undressed and went to bed. At this time the deceased's little brother and sister were in the house in bed; their father, who was a watchman, was out. I was in the act of going to bed with the children, who slept in the adjoining room. Prisoner soon after came out from his wife's room into ours, and sat himself down on the bed where the children were. He said to me, "Are you going to bed?" My reply was, "I believe I shall." He then went back to his wife's room, and in a minute or two returned, and sat again upon our bed undressed, when I asked him whether he wished to sleep with the children. His wife, who was in the next room, and who could overhear him, then said,

"I'll get up." He went back a second time to his wife's room, and then I heard a blow, as I thought from the sound, as if from his fist. I immediately got up and went to the door, and the little boy in the bed I had just quitted roared out "Murder!" When I got to the door the prisoner came out from his wife's room, bearing an axe in his hand, and said, if the boy roared out murder again he would murder him. He then returned into his bed-room, still carrying the axe. While he was there at that time I heard the deceased cry out very faintly, "Lord have mercy upon me!" I think she said this about three times. The prisoner then came out into the room, and said he had done for her, and should be hanged. He then asked the little boy (the deceased's brother) for his father's money, and the boy said he did not know where it was. The prisoner then took a chisel, opened the father's box, and took away the money; after that, he asked me for pen and ink, with which he wrote two notes, the paper of which he tore out of the baker's book. When he did this, he brought the axe, and held it up to me, and said, that if we ever spoke a word we should be dead. He then said he must go away, and that he would go by the back door and listen, adding, if he heard us speak a word, he would come back and do for us. I gave an alarm as soon as I could at Mr Coltson's, over the way, at the Crooked Billot. It was a moon-shining night.

Cross-examined by Mr Curwood. —I am no relation to the deceased, but was a mere lodger in the house. They went out together on the 28th of September; whether they continued together or not I don't know, but the first I saw of them after was in the evening, when I saw them talking with another man, near a spot

where there was a cow-house. I did judge from the tone that an angry conversation was passing between them, and I overheard prisoner taxing his wife with having caught her in a certain situation with the man (Lawrence) in that cow-house. His words were, "I have caught you in the fact." This was outside the door, and the conversation was continued angrily after they entered the house, into which he shoved her in an angry manner. After she had gone into the room, he came out of it two or three times, and he seemed to be very uneasy. I overheard her say to the prisoner that she was carried into the cow-house by Lawrence; the prisoner replied, if she would swear a rape against the man he would take him up to Worship-street; she replied she would not do it. I did not hear her say she loved his little finger better than her husband's whole body, nor that she would get up and go to Lawrence.

Re-examined.—The woman did say when he accused her of being a w——, that he was a liar.

Thomas Soles, a boy about twelve years of age, the brother of the deceased, corroborated the last witness's testimony respecting his being in his own bed-room on the evening in question. He went to bed about a quarter of an hour after the deceased (his sister) and the prisoner came home. The boy described the amicable manner in which they went out that morning, and then reverted to their jarring at night, by which he was awoken. He first recollected the prisoner's saying to the deceased, after he (witness) awoke, "Don't you go out to make away with yourself;" on which the last witness said, "No, she won't." He then asked her to go to bed in the same manner as was stated by the first witness. They then undressed,

and as witness supposed, went to bed; but the prisoner soon came out of his room into witness's, and went as if searching round the room, looking into every place, as witness thought for the axe, which he at length found in the cupboard under the stairs, where his father had put it after cutting some wood the same night. The deceased at this time called out, and asked him if he was not coming to bed; he replied no, for he was going to sleep with the children. She then said she would get up; he called out, "No, no, don't get up; I'll come to bed to you." He then went into and out from his wife's room two or three times. Witness soon afterwards overheard something, as if prisoner had hit the deceased very hard twice. Witness then got up, and hallooed out "Murder!" He ran to the door, and saw the prisoner with the axe lifted over his own shoulder, as if he was going to hit her again, but he then came over to witness, and said, "You d-d young rascal, if you call out murder again I'll serve you the same." He then came into the room where witness slept, and said, "I have done for her;" adding to Mrs Surrey and witness, that if they offered to stir or move he'd serve them the same. Prisoner then returned into his wife's room, and put on his stockings, breeches, and waistcoat. When he came out he said to witness, "Tom, where's your father's money?" Witness replied, "For God's sake, don't take father's money, for he has got to pay it away." Prisoner replied, that if they offered to stir or move, he would serve them the same. He then sat down on witness's bed, having fetched his father's box, where he kept his hammers, and nails, and tools; he took a chisel out of it, with which he broke open his father's box, and

took a one pound note out of it, and something else which witness could not see. He afterwards put on his jacket and shoes, and went out by the back door, threatening them not to dare to stir after he went, as he meant to stop and listen, and if he heard them move would be the death of them. Soon after, witness followed Mrs Surrey into the next house, and gave the alarm. His sister's name was Ann, and she married the prisoner, who was a bricklayer's labourer, three years ago.

Cross-examined by Mr Norton.—They were very good friends that day before they went out, about two or three o'clock that afternoon, and he kissed her. His further examination was merely a repetition of his direct evidence of what occurred at night, with the addition, that the prisoner appeared agitated, and charged her with having been with another man, and she was scuffling with the prisoner for attempting to take from her her pockets, which she said contained money not of his, but of her father's.

Robert Prescott, a constable, recollected the alarm of murder on the night in question. He repaired with Mr Coltson, a neighbour, to the house, where he found near the door inside two puddles of blood, and on turning his eye saw the deceased lying on her back in the bed, quite dead. On the right side of the bed there was a great deal of blood quite congealed. He then produced a large axe, which he found in the children's bed-room; when he found it, it was full of blood on the back part, which was thick and heavy; there was no blood on the sharp edge of the axe.

The boy Soles proved this to be his father's axe, which was in the cupboard under the stairs.

William Bailey, a surgeon, saw the deceased; she had a wound on the back of the head, and others on the

forehead and temple; that on the back part must have been inflicted with a blunt instrument, and those in front with some sharp one, like a knife of some kind. These wounds he had no doubt had occasioned her death. The jaw was fractured in two places. The back blow might have been inflicted by the axe now in Court, but certainly not the front ones, they were more of the nature of stabs: the jaw might have been broken by the axe: either the back or front wounds might occasion instant death.

George Ruthven, the officer to whom the prisoner was delivered into custody at Sandwich, in Kent, stated, that on their road into town, the prisoner told him that some time previous to the 28th of September, his wife went out for water and staid a long time, and he suspected she was with a man in the cow-house. On the 28th he caught this man and woman in the fact in this same cow-house, and the man escaped from him. She said she was forced there by the man; and prisoner then told her, if she would prosecute him he would forgive her, but she refused, and said she loved his little finger better than his (her husband's) whole body. Prisoner then described to him the continuance of the altercation after they went home, and admitted his then having killed her with the axe; he added, that after the first blow, she either said, "Oh, you know," or "Oh, you rogue," he did not know which. This was the declaration made by prisoner when he had him in custody.

Here the case for the prosecution closed, and the prisoner, when called upon for his defence, spoke as follows:—

On the Monday, the day before, I saw my wife, who went out to get a pail of water, and was gone a long

time; on her return I chastised her for being out, knowing she had been doing wrong. The following day she said she was going out, and suspecting her to be going to act improperly, I followed her to the cow-house, near which I saw her with this John Lawrence, and on her return, when I accused her of it, she said, "You be d—d," and she would do as she liked. The following day I told her I wanted to buy a pair of shoes, and asked her to accompany me; she refused, and went off by herself half an hour before. I sought her for some time, and at length met her near Bishopsgate; she at first refused to go with me, but ultimately consented, and soon after left me, and when I came home she refused to tell me where she had been; I was very angry, and we had words all the time of tea. I told her I had not money enough to get shoes, and she wanted me to go to Church-street, Newington, where she said I might get them; I went there, and found neither shop nor shoes. On my return I found her again from home, and sought for her in the coach-yard, where she sometimes went to the men, but she was not there. I then went to the cow-house, where I heard her breathing." He then minutely described the situation in which he found his wife with Lawrence on the evening of the 28th of September, and by entreaties to be forgiven, because the man forced her in; he stated his offer to prosecute the man, her refusal, and declaration that she loved that man's finger better than his (the husband's) whole body. He then admitted his having had a continued altercation with her in the bed room, and his being at length provoked, and that, in the height of her abuse of him, and threats to go out again to the man whom she loved, and also her imprecations that

she would be the death of him or herself, he struck her once, twice, or thrice, with the axe which he picked up in the room; and after having done so, he drew her head towards him and kissed her, saying, "You were once my comfort; I have now been your death: and you, my dear, will be the death of me." He admitted his having taken the one pound from his father-in-law's box, and threatened those in the house not to stir. In the course of his address, which was rather long and in some parts unconnected, the prisoner more than once adverted to acts of infidelity on the part of his wife, which, according to his account, he was aware of before the night of the murder. He said she had been in the habit of going with married men in the neighbourhood, and that he had long suspected her. On the night on which he alleged he had detected Lawrence and his (prisoner's) wife in the cow-house, he said he upbraided her; but afterwards consented to forgive her, and forget what had passed, provided she would go and live with Lawrence or with Tucker, or with any one else she loved better than himself, and not come to him any more. It also appeared from his statement, that the man (Lawrence) had joined them (prisoner and his wife) before they got home from the cow-house, on the night in question, and had called for some drink for them, acknowledging that the whole transaction with prisoner's wife was his (Lawrence's) fault. Prisoner said he would not drink, but (we think) only tasted it, and threw away the glass. From another part of his speech it appeared, that he had on a former occasion been bound over to keep the peace for ill-treatment of his wife. This he alleged as a reason for not striking her when she provoked him so, by saying, (as he stated,) that she would do

as she liked, and he might go and be d—d; for (he added) that he was afraid she would send him to prison, and let him rot there. From the whole of his defence, admitting it to be true, we could infer, that the life he and his wife had led before the melancholy conclusion of hers was a constant scene of quarrel and reconciliation. On the present occasion he rested his case chiefly on the great provocation he had received from one whom he said he loved so dearly.

A number of witnesses were then called, who gave the prisoner an excellent character for humanity.

Mr Baron Wood summed up the evidence to the Jury, and remarked, that had the prisoner committed the act of which he stood charged, at the moment he caught another man in adultery with his wife, then the law had humanely provided a palliation for his crime; but here the act was deliberately committed at a subsequent period, when the passions had had time to cool, and therefore the prisoner had disintitled himself to the benefit he might otherwise have had in the eye of the law.

The Jury, after six minutes' deliberation, found the prisoner *Guilty*, and the Recorder immediately pronounced upon him, in the most solemn manner, the awful sentence of the law.

ABSTRACTING MONEY FROM LETTERS.

*High Court of Justiciary, Friday,
March 19.*

This day came on before the Court the trial of George Warden, lately clerk or assistant to the Postmaster of Aberdeen, accused of having abstracted from letters money and bills to the amount of L. 20, between

the month of May and the 4th of December 1818, when he was apprehended. To these charges the prisoner pleaded *Not Guilty*, and the trial proceeded.

Alexander Daune, Esq. Sheriff-substitute of Aberdeen, proved two declarations of the prisoner to have been freely and voluntarily emitted. He was present when a drawer in the Post-office, of which the prisoner had the exclusive possession, was searched: the four notes now shown him were found on the prisoner. A letter, addressed, "James Meikle, Abercorn, near South Queensferry," was produced during the taking the prisoner's declaration. A letter, addressed, "Donald Ross, Helmsdale, Sutherlandshire," was found in the drawer sealed up with a wafer, and had the appearance of having been opened. A letter without address, commencing, "Inclosed you have a Post-office order for L.15," was also produced during the examination of the prisoner. Another unfinished letter was also produced.

George Cockburn and Peter Laing corroborated Mr Daune's evidence.

Simon Grant, sheriff-officer in Aberdeen, was employed in December last to search the premises of the prisoner, and went to his father's house, along with Mr Henderson of the Post-office, Edinburgh, Mr Lumsden, and Mr Harvey: a search was made, and they found, in a pair of pantaloons, which the prisoner said were his, a letter directed to a woman at or near South Queensferry. The letter now shown him is the same. Witness searched his person, and found eighteen notes upon him, all, he thinks, of one pound each. (The four notes mentioned in Mr Daune's evidence being here shown the witness, he declared them to have been taken from the person of the prisoner, and that, after having mark-

ed them on the spot, he gave them to Mr Lumsden.) The prisoner said the whole of the money belonged to his account in the Post-office. The marking put on by the witness was by a pencil, but he saw the notes next day before the Sheriff, when he marked them over again with ink, and he had no doubt they were the identical notes. Witness took the prisoner into custody, and went to search his room at the Post-office. The prisoner showed them a set of drawers, which he said were the only ones he had access to, and which were searched. After some interval, Mr Dingwall, the Postmaster, was sent for, who pointed out another drawer which he said was the prisoner's: it was locked, and the prisoner then produced the key, and, upon searching it, some bank-notes and other money were found, together with a letter addressed, "Mr Donald Ross, Helmsdale, Sutherlandshire," as also another unfinished letter, which witness at the time marked, and left in the drawer, which was locked and sealed.

James Shearer, Esq. one of the Surveyors of the General Post-office. —Complaints were frequently made of letters containing money being amissing in passing through Aberdeen, both from South and North. After consulting with the Secretary and Postmaster-General, he took measures to find out how this happened. A number of experimental letters were made, and sent to Aberdeen, and ought to have arrived there on a particular day. Two letters were sent to be put in at Inverness, one addressed to Mrs Donald, near Queensferry, containing L.2, another addressed to the care of Mr Young, Burntisland, containing L.2. Witness went to Stonehaven, and the letters should have arrived there on the 4th of December, in the even-

ing. Witness desired the guard to bring in the Aberdeen bag, and, on going over the letters, he found only one of five experimental letters there. Witness immediately went off to Aberdeen, and the prisoner was apprehended, and his drawers searched, as detailed by preceding witnesses. One letter was found addressed to Donald Ross, Sutherlandshire.

Cross-examined.—By experimental letters, he meant that one of the letters sent was fictitious, and the others were not; that it frequently happens letters are mis-sorted; that they are put in a particular place, and are generally sent by next post.

Alexander Shepherd, writer, Inverness, stated, that he received two letters from the Solicitor for the Post-office, each containing two one pound notes, addressed to Mrs Donald and James Thomson; he had seen them dispatched on the 3d of December, and had no doubt of the notes being the same as those shown to him, as he had kept a memorandum of their numbers, &c.

Alexander Dingwall, Postmaster, Aberdeen, stated, that the prisoner had been employed by him for twenty-one months in the most confidential services, in consequence of the very favourable character which he had received. He had allowed the bags to be opened by the prisoner, who slept in the office. He recollects having been suddenly called to the Post-office on the 4th of December, when he found Warden in custody of the officers. The prisoner was allowed to retain possession of the key of the drawer, which contained the money belonging to the office, and to which witness himself had no access. Witness sent to a neighbouring house for Mr Shearer, who, after examination, sealed the

money drawer. This witness underwent a long and close examination, as to the number of letter carriers, and as to the situation of the office, with the means taken to secure the doors and windows. He stated that the prisoner had been absent for eight days, several months previous, on account of indisposition, and thought his emoluments would amount to about £100 annually.

• *Exculpatory Evidence.*

George Fyfe, messenger at arms, Aberdeen, had known the prisoner for five or six years, and he bore an excellent character.

Certificates from several gentlemen were read by the counsel for the pannel, which testified to the former good conduct and character of the prisoner.

The Lord Advocate then charged the jury on the part of the Crown.

Mr James Gordon made an able speech in favour of the prisoner, in the course of which he reprobated the officers of the Post-office, for throwing out a snare to entrap the prisoner. After commenting at considerable length upon the evidence, the learned counsel concluded by making a most impressive appeal to the feelings of the jury, on account of the youth of the prisoner, and the excellent and unblemished character he had hitherto borne.

The Lord Justice-Clerk summed up the evidence at considerable length; and the jury having retired for about an hour, returned into Court with a verdict, finding, by a plurality of voices, the prisoner *Guilty* of the crime charged, but at the same time recommending him to mercy. The Court then pronounced sentence, ordaining the pannel to be executed, in such place as the Magistrates of Edinburgh should ap-

point as a place of public execution, on Wednesday the 14th of April.

MURDER.

High Court of Justiciary, Monday, June 14.

Peter Bowers, journeyman millwright in Haddington, was charged with the murder of John Sandilands, day-labourer or farm-servant to the Earl of Dalhousie, on the 15th day of April preceding, by striking him on the head with an axe.

The prisoner having pleaded *Not Guilty*, the jury were sworn to try the case. It appeared in evidence, that some young men had been amusing themselves by leaping on the high road, opposite Coalston toll-bar, when they were joined by the prisoner and his master's son, who had been working in the neighbourhood, and after finishing their job had regaled themselves with some gills of whisky at different public-houses. The deceased was standing enjoying the amusement, when the pannel said he would leap with any of them for twopence; and having lost his bet, and refused to pay it, some trifling altercation took place among the parties, when the deceased said he would either jump with him, or fight with him, for any thing he liked. Some high words then ensued between the prisoner and the deceased, the import or amount of which was not distinctly recollected by any of the witnesses present; but it ended in this, that the prisoner advanced towards the deceased, and struck him a blow on the head with an axe, which he then had on his shoulder, and inflicted a severe wound on his left temple, out of which a part of the brain obtruded.

After the examination of the witnesses, the counsel for the prosecutor and for the pannel addressed the jury; and the Lord Justice-Clerk having summed up the evidence, the jury retired and deliberated for an hour and three quarters, when they returned a written verdict, finding, by a plurality of voices, the pannel *Guiltily* of the crime libelled, but unanimously and earnestly recommended him to mercy. The Justice-Clerk immediately pronounced the awful sentence of the law.

HOUSEBREAKING AND THEFT.

High Court of Justiciary, Monday, July 19.

Ralph Woodness, and Richard Smith, commonly called *Curley*, were charged with housebreaking and theft; in so far as they did, on the 29th day of March preceding, wickedly and feloniously break into and enter the shop of Andrew Edgar, merchant in Linlithgow, by cutting through the shutter of a window, and taking out a pane of glass, and thereby getting at and removing the pin which fastened the bolt of an iron bar; and did then and there steal a large quantity of woollen cloth of different sorts, also bombazines, saracens, cambrics, silk handkerchiefs, burial crape, silk thread, &c. to the value of L.350 Sterling, or thereby; they being both habit and repute thieves, and previously convicted of theft before the Magistrates of Glasgow.

The pannels pleaded *Not Guilty* to the indictment.

The declarations of the pannels were proved to have been freely and voluntarily emitted before the Sheriff-substitutes of Lanark and Linlithgowshires.

Upon the examination of Daniel Hamilton, Esq. Sheriff-substitute of Lanarkshire, it turned out that the first declaration of the pannel, Woodness, had not actually been taken in the presence of the Magistrate, but was afterwards read over in his presence. Mr Cullen, counsel for the pannels, took an objection to this declaration being read; and it was stated by the Lord Advocate, that he certainly admitted the irregularity, and would not insist on the declaration being read as evidence.

The Lord Justice-Clerk reprimanded Mr Hamilton for the irregularity which had taken place, and while he pointed out to him the necessity of a Magistrate being present during the whole examination of a prisoner, and not deputing so important a duty to others, he hoped that such a circumstance would not again call for the animadversion of the Court.

The Public Prosecutor then proceeded to call a great number of witnesses, no less than fifty having been included.

It appeared in evidence, that Mr Edgar's shop had been broken into on the night betwixt the 28th and 29th of March in the manner stated in the indictment, and that on the morning of Monday the 29th, about five o'clock, the town-drummer, in going his rounds, had found a parcel lying in the street of Linlithgow. Upon going towards Mr Edgar's shop he found the window-shutter broken, and upon alarming Mr Edgar, the shelves, &c. of the shop were found to have been rifled of goods to the amount of betwixt three and four hundred pounds in value. Many tickets were found upon the streets of Linlithgow which had been dropped by the thieves, and a wright's chisel was found on the outside of the shop, with which it is supposed they had bro-

ken the window-shutter. It was proved by a number of witnesses, that the pannel Woodness, accompanied by one of the name of Gardner, came in a gig to the door of a person of the name of Sinclair, who keeps a public-house in Glasgow, about eight o'clock on the morning of Monday the 29th of March; and having taken a number of bundles from the gig, containing a quantity of haberdashery goods, threw them down on the floor; desiring that they might be kept there till they (Woodness and Gardner) returned; but the mistress having become suspicious that all was not right, not only sent for her husband and called in some of her neighbours, but sent for the police-officers, who carried the whole to the police-office. All the witnesses who saw the arrival of the gig at Sinclair's door, swore to the pannel Woodness being one of the persons who was in it. His person was also identified in the gig on the road, and Mr Edgar swore positively to the goods left at Sinclair's as having been part of those stolen from his shop. Although there was no proof of the pannel Smith arriving in the gig at Glasgow, when the goods were left at Sinclair's, yet several witnesses swore to having seen him on the road at Cumbernauld, and other places, that morning in the gig with the other pannels, together with several bundles. Both prisoners were proven to be habit and repute thieves. With regard to Woodness, in particular, several witnesses swore, that, for a considerable time past, he had followed no occupation, nor had gained his livelihood by any other means than plundering the public.

The Lord Advocate having shortly addressed the Jury for the Crown, Mr Cullen for the pannels, and the Lord Justice-Clerk having summed.

up the evidence, they did, without leaving the box, return a unanimous verdict of Guilty against Woodness, of housebreaking and theft, aggravated by being habit and repute a thief, and finding the libel as to Smith Not Proven.

After a very impressive and interesting address from the Lord Justice-Clerk, Ralph Woodness was, on the following day, sentenced to be executed at Linlithgow, on Friday the 27th of August ensuing.

HAMESUCKEN AND ROBBERY.

High Court of Justiciary, Wednesday, July 21.

This day came on before the Court the trial of James Whiteford, accused of hamesucken, and also of violently assaulting, beating, wounding, and bruising the lieges, and likewise of robbery by breaking into the toll-house at Hopetoun-wood, Linlithgowshire; and violently assaulting Mary Duncan, sister of Henry Duncan, toll-keeper, and striking her a severe blow on the head with a bludgeon, to the great effusion of her blood; and also presenting a pistol at the said Henry Duncan, and compelling him to open a chest in which he kept money, taking therefrom nine pounds in bank notes, two pounds in silver, a bottle of whisky, and a quartern loaf, on the evening of the 26th or early in the morning of the 27th of March.

The pannel pleaded *Not Guilty*.

Henry Duncan, tacksman of the toll at Hopetoun-wood, said, that, on the morning of the 27th of March, somebody came to his door before three o'clock, and asked for a bottle of porter, and then for a gill of whisky. Witness refused to let the per-

son in, saying he would not rise, but desired him to go away, and he would get a gill in a house farther on the road. Shortly after this, the shutter of the window was broke with one blow into two pieces, on which his sister, Mary Duncan, opened the door, when the man struck her, a blow before the door was fully opened, which cut her head severely. There are two doors, an outer and inner; the threshold of the inner door is so low, that a person must stoop on entering. The man then presented a pistol at the witness, and ordered him to deliver his money, or he would blow his brains out. On this the witness went to a chest where the money was, from which he took out bank notes to the value of L.10, one of which was a five pound note of Sir Wm. Forbes and Company; one of the notes fell, but witness lifted it up and gave it to the man, who then asked for silver, and the witness gave him what was in the brass box, to the amount of about twenty shillings. Being shown a brass box, he said it was his property, and that it contained the silver. The man had a whistle, and said more people would be there soon,—and whistled. Witness gave him a handful of penny pieces, and also a bottle of whisky, and a quartern loaf, both of which he demanded. The pannel is the man who committed the robbery, and he gave him the money to save his life.

Mary Duncan, sister of the preceding witness, said she opened the door, when the pannel instantly knocked her down by a violent blow on the left side of the head. He had a pistol in his hand, and a stick under his arm. She called Mr Baird, surgeon, who dressed her head, and she was eight days confined to her bed, and is still not quite well. Witness had seen the

panel passing on the road, but was not acquainted with him. She confirmed her brother's evidence in every particular.

James Fordyce, formerly smith at Long Hermiston, said, that on Saturday morning, the 27th of March, he saw the panel at Kier-hill toll-bar, who said he was a master shoemaker from Lanark, and was travelling to Edinburgh, and that he had a bottle of whisky, and a pistol in his breeches pocket, but does not know if it was loaded.

William Kennedy, sheriff-officer, Linlithgowshire, said that he was employed to search for a brass box, which he found in a field about a hundred yards from Hopetoun-wood toll-bar. Being shown a brass box, he said it was the same he found in the field, and which was formerly sworn to by Henry Duncan and his sister.

The declaration of the panel was then read, which closed the evidence for the Crown. In his declaration the panel admitted having committed the robbery, and that, although he had a pistol in his hand, it had no priming in it.

The Lord Advocate on the part of the Crown, and Mr Cullen as counsel for the prisoner, mutually declined addressing the jury, as the proof was so clear and conclusive: and the Lord Justice-Clerk having summed up the evidence, the Jury, without retiring from the box, unanimously found the panel *GUILTY* of the crimes of hamesucken and robbery libelled.

Before pronouncing the awful sentence of the law, the Lord Justice-Clerk addressed the panel in a most earnest and impressive manner, and warned him to prepare for death, as he could not entertain the smallest hope of mercy.

TRIAL OF PEI, A CAPTURED NEGRO, FOR MURDER.

Sierra Leone. (From the Royal Gazette of July 24.)

Pei, a captured and liberated negro, was indicted for the murder of Zongobia, another captured negro, at Charlotte-town, in this colony, on the 5th of January last, by severing his head from his body with a sharp instrument made of a piece of iron-hoop.

Previously to the commencement of this trial, much difficulty was experienced in procuring adequate means of interpretation between the Court and the prisoner: and at length, when a person was found capable of conversing with the prisoner in his own language, a second interpreter was required to render the bad English of this first interpreter intelligible; but, at the best, the interpretation altogether was very insufficient and unsatisfactory.

The first object of the interpretation was, to inform the prisoner of his arraignment and to instruct him how to plead; which being accomplished, an endeavour was made to apprise him of his right to challenge the jurors, and of the proper mode of exercising that right; but upon the first option of challenge being put to him, in swearing the foreman of the jury, an answer was returned, which threw the whole Court into an involuntary burst of laughter, at the same time that it produced a strong and universal sensation of horror. When the prisoner was told to look upon that man, and say if he liked to be tried by him, the answer as interpreted, given in a tone of astonish-

ment by the English interpreter, was, "He say, he like him too much; *if he catch him, he eat him.*"

The particulars of this horrid transaction, as detailed in evidence, were as follow:—

Hyena, an inferior overseer of captured Negroes at Charlotte-town, employed to superintend the deceased and his countrymen, because he could speak their language, having missed the deceased (Zongobia) at ration time, reported his absence to his superior, Mr Ashford, who ordered him to cause search to be made in the bush. Shortly after leaving Mr Ashford, he saw a man coming out of the bush with a canvas bag, which he attempted to shift away, as if to put it out of sight. He immediately questioned the man, whom he found to be one Quia Pei, of Zongobia's nation, and insisted on seeing the bag and its contents. The man reluctantly opened the bag, which he said contained some meat. On inspection, he discovered several pieces of human flesh. The man was immediately secured, and Mr Ashford was sent for; Quia Pei died in prison while awaiting his trial.

William Ashford, principal native superintendent at Charlotte-town, stated, that on being informed by the last witness that Zongobia was missed, he had given orders to search for him. Shortly after he was informed of the detention of Quia Pei, and came to the place where he saw the bag and its contents. There was part of a human hand, with the thumb, a piece of the shoulder, and lower part of the neck, and some of the intestines. Quia Pei, he understood, avowed the killing of the man Zongobia, and implicated the prisoner Pei as his accomplice in the act. Quia Pei and the prisoner Pei were kept in close custody for the night,

while Mr Kearney, the nearest magistrate, was sent for.

John Ouseley Kearney, Esq., a Magistrate, was resident at Bathurst-town. In the month of January last, he was sent for by Mr Ashford, to inquire into the particulars of the horrid transaction now before the Court. The bag, containing the mutilated remains already described, was shown to him. Quia Pei, upon whom it was found, confessed the act, and alleged that the prisoner Pei first suggested it to him, saying, the deceased was fat, and good to eat. Both together seized the opportunity of surprising the deceased, as he was stooping down in the brook searching for crabs. The prisoner caught the arms of the deceased behind his back, and held him while Quia Pei threw him over: he struggled hard. They were obliged first to cut off his hand, and afterwards they cut off his head: they then proceeded to the horrid process of cooking and eating the flesh, and in this abominable repast it was understood that others also assisted. This statement was given freely and voluntarily by Quia Pei, the man who had since died in prison: the prisoner Pei also confessed, but slowly and reluctantly, and not till the other repeatedly accused him, and remonstrated with him on the inutility of denial. Mr Kearney caused them to conduct him to the place where the dreadful deed was perpetrated, and to show where the further remains were to be found. He saw the place where the fire had been made, and the bones that had been left, some of them bearing the marks of such persevering voracity, that a thigh-bone had been broken for the purpose of extracting the marrow. The head, with the tongue and upper part of the neck had been left entire and

buried. He caused them to be taken up: the face was recognised as Zongobia's. The reason given for the distinction with respect to the head and its contents was, that eating any part of the head was supposed to cause madness in the country of these Cannibals. They were called the Mannj, or Maniani, and were notorious for this practice, for which they were despised by all their neighbours. On Mr Kearney's asking whether there was any quarrel or any enmity towards the deceased, he was told there was not; and upon some expression of surprise that so great an atrocity should be perpetrated without any provocation or motive, it was thought sufficient to explain it by the same motives which induced Mr Kearney to kill a fat sheep. Quia Pei said, the cause of his having been sold as a slave was, that he had killed and eaten so many men as to render him formidable to the king of his country and to the head men, who made a palaver for him, and had him condemned and sold.

Philip Bragger was present at the examination and search. He saw the same facts, and had the same understanding as Mr Kearney as to the confessions.

The substance of Mr Kearney's testimony was interpreted to the prisoner, and he was asked whether he wished to put any questions. He did not ask any question, but denied having participated in the murder in any way: he had never confessed it: he was near the place, with his knife and pot, and was called by the others after the man was killed. In reference to the charge of holding the hands of Zongobia behind his back, he asked whether a person of his own slight frame was capable of such an exertion? With reference to the charge of having pointed out Zongobia as a fat man and fit to be

killed, he denied having given any such suggestion, or having had any part in such conversation or design. He knew, however, that Quia Pei, and the others of his country, had held such talk on board the ship in which they came, and that they had formed a design accordingly, for future execution.

Cockeye was a captured negro, of a nation bordering on the country of the nation to which the prisoner and Quia Pei belonged: he resided at Charlotte-town, and generally was employed to look after and interpret for these people: he had interpreted at the examination before Mr Kearney. Quia Pei, who had been caught with the bag, on being told by the witness to tell all to master, and so avoid palaver (trouble,) did declare all that had been related concerning himself and the prisoner, and urged the prisoner also to confess; but the prisoner had not confessed any part in the transaction, but always firmly denied having any share in it, or any knowledge of it, until after the murder was perpetrated.

The Chief Justice remarked, "that the Court was placed in a very delicate and difficult situation, having heard, as evidence against the prisoner, a great deal of matter that could not properly be admitted as such, if further confirmation of what was called the prisoner's confession had not been expected. The confession of the deceased, Quia Pei, although caught with such irresistible proofs upon him, did not appear to have been obtained wholly without the inducement of beneficial results to himself from making it. His implication of the prisoner at the bar was not evidence to convict the prisoner, unless assented to by the prisoner, or corroborated by other testimony, or by facts or circumstances.

What had been stated by Mr Kearney, and by Philip Bragger, of the acquiescence of the prisoner in that part of Quia Pei's confessions which implicated him, was of no avail, unless confirmed by the interpreters through whom it was derived; and now the principal interpreter (Cockeye,) denies that he ever meant to convey any such acquiescence on the part of the prisoner. On the contrary, the prisoner always denied, as he does now, having had any share in the transaction, or any knowledge of it, until it was completed. In this there was no confession on the part of the prisoner, nor any acquiescence in any facts connected with the crime that could materially affect him. There was no other evidence, nor any fact or circumstance, connecting him with the horrid business. (Here the Chief-Justice asked the witnesses again if any such fact or circumstance had been discovered, and it was repeated that nothing of the kind had been found.) One or two circumstances seemed to have been disclosed, which, if well authenticated, might be sufficient to connect the prisoner with the act—such as his having had previous conversation with the deceased, Quia Pei, the object of which was the killing of the deceased, and his having been near the spot, and, according to one of his seeming admissions, with a pot and a knife, which it was understood or supposed were afterwards employed in dissecting the body and cooking the horrid feast; but one of these apparent admissions, that of conversation, having the murder in view, was already explained away; and the prisoner said that he merely knew of such conversation being held between the deceased, Quia Pei, and his countrymen. There was no explanation to be had, except by questions to the prisoner, the effect of

which would be contrary to the genius and principles of British justice if they tended to extort evidence injurious to the prisoner himself, while they might have another effect, equally inconsistent with justice, by enabling him, if he possessed sufficient acuteness, as there was some reason to think he did, to discern the material bearings of the points comprehended in the questions so put, and to frame his answers accordingly; so as to explain away what might already have seemed established against him.

It became necessary, however, again to refer to the prisoner, in order to enable him to understand and explain the circumstances which appeared still to bear against him, and in particular the share which he seemed to admit that he had in the latter part of the dreadful business. The prisoner's answer, or rather statement, on this head, was, that when the man was killed, and they were proceeding to devour his body, they called him and invited him to partake; but he refused, saying, it was thought fatal in his country, to eat human flesh, and that those who did so became inevitably mad. He was not a native of Quia Pei's country, but of a country bordering on it.

After this further denial of what was supposed to have been admitted, the Court thought it not right to put any further questions to the prisoner.

No farther evidence was produced on the part of the prosecution.

The prisoner having declared, through the interpreter, that he had nothing to say,

The Chief-Justice proceeded to sum up the evidence. A most barbarous murder had been committed, accompanied with circumstances the most humiliating to human nature, in the undeniable proofs of practice

which was before held scarcely reconcilable to human possibility. He owned his first impression, on hearing this horrid transaction, in a way that compelled him to believe the fact, was, despair of effecting any moral improvement, or of making any progress in civilization, upon minds so lost and sunk in the lowest extreme of savage debasement; but, upon more mature reflection, he saw in it only a more striking instance of the depravity of human nature, when abandoned to itself, and destitute of social culture, and of religious instruction. This reflection was the more impressive, because it was matter of undeniable record in history, that the ancestors of the most civilized nations of Europe, even of Britons themselves, now the foremost in every social affection, as well as in all moral virtue and of pure religion, were in the general habit of offering human victims to their monstrous conceptions of the Supreme Being. Instead, therefore, of deserting as hopeless and disgusting the design of rescuing these rude savages from the depths of barbarism in which they were sunk, this remembrance ought to fill us at once with humility and with confidence, and to incite to a perseverance in the present exertions, till those who are now so abject should be made in all things equal to ourselves. In order fairly to discharge their duty in determining according to the evidence, whether the prisoner at the bar was guilty or not guilty of the murder, it would be incumbent on the jury to dismiss from their minds all extraneous impressions, arising naturally, and almost necessarily, from the common relations of the horrid transaction, and from the conversation respecting it. They should exclude from their minds all foreign matters, even to the expression uttered by

the prisoner, with respect to the foreman of the jury, when apprised of his right of challenge,—an expression which filled the Court at once with an involuntary burst of laughter, succeeded immediately by a more appropriate sensation of horror. Doubts were entertained, whether in fact the prisoner had at all uttered that expression, which might have been, not improbably, interposed by one of the interpreters; and therefore the jury would keep it altogether out of their thoughts. The prisoner, it appeared, was implicated in the charge of having participated in the murder by one Quia Pei, since dead; who had been caught with the mangled fragments of a human body upon him concealed in a bag, shortly after the disappearance of the unfortunate man upon whom the murder had been perpetrated, named Zongobia. Quia Pei, when observed and interrogated by the native overseer, Hyena, at first attempted to conceal the bag, and then said simply, the contents were pieces of meat; it was, however, ascertained immediately by the thumb, and by other distinctive marks, that the whole was human flesh. This discovery furnished proof so nearly amounting to full conviction against Quia Pej, that denial could scarcely have been of any avail; he therefore, it appeared, confessed the act freely to the superintendent, Mr Ashford, who first examined him. There might have been some inducement in the words of the interpreter, desiring him to confess in order to avoid palaver, which he might have understood either as, “to save time and trouble,” or as “to secure himself from mischief.” The confession, however, appeared to have been made without reserve, as well to Ashford as to Mr Kearney, who was called in as the nearest Magistrate, and who came the

ensuing morning to put the business in train of legal investigation. In this investigation by Mr Kearney, Quia Pei avowed himself the principal perpetrator of the murder, but charged the prisoner with having suggested it to him, and with having pointed out the deceased, Zongobia, as a fit object for such a design; he also charged the prisoner with having participated with him in the perpetration of the murder, by holding the hands of Zongobia behind his back, while he, Quia Pei, threw him over, and proceeded to disable him by cutting off his hand; after which he cut his throat also, and severed his head from his body. Quia Pei showed to Mr Kearney the place where the murder was perpetrated, and where the head was buried, which was recognised as bearing the features of Zongobia. The reason given for sparing the head in the horrid voracity exercised on the body, was a belief in Quia Pei's nation, that to eat the human head, or any part of it, caused madness. The bones of the body were found in a shocking condition, bare, and some of them broken. Quia Pei is the leading person in all those discoveries, and he alone appeared to have carried off the mangled fragments; for it did not appear that any had been found upon any other. Quia Pei was, therefore, in every respect, the leading actor in the atrocious deed, and was proved to be so by undeniable circumstances, as well as by his own confession. That confession implicated the prisoner at the bar, as having suggested the design originally, and as having also assisted in the execution of it; but that confession was not evidence to convict the prisoner, unless confirmed by the assent of the prisoner himself, or by the testimony of other witnesses, or by concurring facts, or circumstances of

corroboration. It was understood, or rather supposed, that the prisoner had assented in the examinations before Mr Kearney; although it was admitted that such supposed assent was given tardily and reluctantly, and after many urgent instances and representations of the inutility of denial on the part of Quia Pei. But this assent the prisoner denied, and denied also having had any concern in the murder. In the particular inquiries directed to obtain a correct knowledge upon this point, it was found, that one of the interpreters through whom the examination was managed was detained in the country by sickness; but the other, the African interpreter, was in Court, and was the same who was then interpreting between the Court and the prisoner. This interpreter, Cockeye, was examined as to his having conveyed, or having been authorised to convey, any assent on the part of the prisoner to the charges made against him by Quia Pei, of having suggested and participated in the murder. He answered, that he did not convey any such assent, neither was he authorised to do so: on the contrary, the prisoner had then, as well as now, constantly denied all participation in the transaction and all knowledge of it, till after it was perpetrated. Here, then, was an end of the prisoner's confession; for if the first interpreter, through whom alone it could come to the others, had neither given it, nor been authorised to give it, it was of no consequence how strongly the impression might have been made, nor upon how many; it was but misconception more widely and more strongly diffused. After this derangement of the train of evidence, which, it was understood, was to lead to the conviction of the prisoner, the Court felt considerable embarrassment. There was not any collateral

or corroborative evidence, nor any matter of fact, nor circumstance affecting the prisoner. To put questions to him with a view to inform the Court, would have the effect of inducing him to give answers tending to criminate himself, which was contrary to the spirit and principles of British justice; or, if he was sufficiently artful, to frame answers for the purpose, he would thus deprive the Court of the little matter of evidence already in its possession, or destroy its effect. The matter of evidence of which the Court seemed to be previously in possession, consisted of a supposed assent on the part of the prisoner to his having held previous communication with Quia Pei, on the design afterwards executed, of putting Zongobia to death; and of an admission of being at the time near the spot where the murder was perpetrated, with a pot and a knife, and of having gone subsequently to the spot when called. If the Court and the Jury could be satisfied of the fact of this previous communication and concert in the design on the part of the prisoner, and of his subsequent presence near the place where the murder was perpetrated, so as to be within call, and to have joined on being called, the concurrence would be sufficient to establish the prisoner's guilt. But it was found necessary to refer again to the prisoner in respect to these points, and his answers conveyed a distinct denial of his having held any communication respecting the murderous design, previous to the perpetration of the murder; as also of having in any way participated in the act, or having known of it, till after it was perpetrated, when he was called by the perpetrator or perpetrators, and invited to join in the horrid feast, which he says he refused on the express

ground of a persuasion in his country that eating human flesh would cause madness, his country being not the country of Quia Pei, where human flesh is eaten, but bordering upon it. Thus, unless it is supposed that the prisoner had sufficient cunning, under all the difficulties of very imperfect interpretation, through two successive stages, to collect the bearings of the points of evidence on which the Court particularly dwelt, so as to frame his statements and allegations in the manner best calculated to save himself, and with this view to retract ultimately what he was understood to have freely admitted at first, there was no evidence against the prisoner beyond the accusation of the chief perpetrator, which was not supported and confirmed by other testimony. It would be for the Jury to consider whether the circumstances of previous communication and subsequent presence near the spot at the time when the murder was perpetrated, and junction with the perpetrator or perpetrators, upon being called, had been at first freely admitted, and afterwards artfully retracted by the prisoner. If those facts were established, the successive train and concert marked in them would connect the prisoner sufficiently with the act; but considering the way in which any knowledge that might have been had of these matters was obtained, it would probably appear too slight a foundation for pronouncing the prisoner guilty.

The Jury retired, and after an absence of about half an hour, returned their verdict—*Guiltily of assisting.*

The Chief-Justice informed them that this verdict could not be received. The indictment charged the prisoner, not as assisting, but as the actual perpetrator of the murder, and

as such alone the only verdict that the Jury could regularly give, or that the Court could receive, was, simply, one of Guilty or of Not Guilty. The Chief-Justice said, that although he conceived he had already marked, as distinctly as he could, without appearing to dictate to the Jury, his sense of the insufficiency of the evidence to convict the prisoner, he thought it right now, lest there should be any misconception, to say so expressly. It was not sufficient.

The Jury retired again, and returned in less than half an hour, with a verdict—*Guilty*.

The Chief-Justice observed, on receiving this verdict, that it would be incumbent on him, in the ordinary course of his duty, forthwith to pass sentence of death upon the prisoner, in one of the most awful forms prescribed by law; but the same statute which enjoined that course of proceeding, gave a power to the Judge to postpone the judgment if he should see sufficient cause. After the opinion which he (the Chief-Justice) had expressed of the insufficiency of the evidence, he would act very inconsistently with himself if he did not avail himself of this power: he therefore postponed the judgment.

Thomas Cole, the foreman of the Jury, was a white man, the other jurors were coloured men of the settlement.

On the last day of the Session, previous to the passing of the sentences on the other convicts, the Chief-Justice intimated, that it was thought proper to refer the case of Pei, with his (the Chief-Justice's) exception to the verdict of the Jury, and the grounds thereof, to superior authority in England. A statement of the case, with the evidence and a copy of the indictment duly authenticated, having been soon after placed in the hands of the Governor for that purpose, the same was transmitted by his Excellency to Earl Bathurst, his Majesty's principal Secretary of State for the Colonial Department. Earl Bathurst, in consideration of the circumstances, thought it incumbent on him to recommend Pei to his Royal Highness the Prince Regent for his Majesty's most gracious pardon. The pardon was duly received, accompanied by an official letter to his Excellency, and the prisoner was, in consequence, liberated without delay.

PROSECUTIONS AND MISCELLANEOUS CASES.

MALICIOUS ARREST.

Court of King's Bench, Guildhall, Tuesday, January 19. (Before Lord Chief-Justice Abbot and a Special Jury.)

MARQUIS D'Aoust, v. ELMORE.

This was an action brought to recover damages for a malicious arrest, without any reasonable cause.

Mr Gurney stated, that the plaintiff in this cause was a nobleman of distinction in France, and the defendant a horse-dealer of some celebrity in London. The insult and injury which his client had sustained, from the improper conduct of the defendant, were such as most imperiously called for redress. The Marquis d'Aoust had come to England in September 1817, partly with a view of visiting the country, but chiefly to purchase some English hunters, which of late years have become of high repute upon the Continent. In furtherance of this object, he was recommended by one of his friends, a Mr Bradley by name, to visit the stables of Mr Elmore, the defendant in this cause; and he did so visit them, accompanied by Mr Bradley, who, as the Marquis could not speak much English, served as interpreter between the two parties. Two horses, one a brown, the other a bay, which were at that time in Mr Elmore's stables, particularly attracted the notice of the Marquis, who said, that if he liked their action in the field, he would give two hundred and twenty guineas for them. In order to afford the Marquis an opportunity of jud-

ging of their merits, the defendant's brother mounted one of them, set his groom-boy on the other, rode them into some fields at no great distance from his stables, in Duke-street, Manchester-square, and there galloped them for some time. This was not, however, sufficient to satisfy the French nobleman, who, as he was purchasing hunters, wished to see how they would leap as well as how they would gallop. He therefore desired Mr John Elmore to leap one of the hedges in the field, which that gentleman promised to do, but forgot to perform; he made, however, several abortive attempts to clear it, but succeeded in none, owing, as Mr Elmore himself confessed, to the weak state of his nerves. The Marquis was much displeased at this trifling, and asked him, through Mr Bradley, if he did not intend to let the horses leap, why he had given them the trouble of going into the country. To this Mr Elmore made no other answer than this, that they might leap the horses themselves if they choosed, but for himself he must decline, as his nerves were not too strong. The Marquis and Mr Bradley did not however follow Mr Elmore's advice; they did not leap the horses, though they did mount them to try their paces: and the result was, that the Marquis determined not to buy the brown horse, though he thought of making an offer for the bay. This was afterwards on the same day communicated to Mr John Elmore, but no bargain was then entered into. The Marquis was, therefore, not a little

surprised at being arrested, within two or three days of this circumstance, at the suit of Mr George Elmore, for the cost of two horses affirmed to have been delivered to him by the defendant in the present action. He was in custody for some hours on this process, and was not released till he had deposited the money for which he was arrested, in the hands of the sheriff. So shocked was he at the treatment which he had received, that he left England in the course of a few days, under the impression that it was one of the most inhospitable countries in the globe. Before he left it, however, he left orders with a most respectable solicitor to defend the action which had been brought against him, as he was determined that Mr Elmore's scheme of bullying him into buying the horses should not be attended with the slightest success. When Mr Elmore found this to be the case, he never dared to proceed in the action, though the money remained deposited, and would have been immediately paid over to him had he proved successful. He had since discontinued the action, and paid his (Mr Gurney's) client for that discontinuance. If he had actually sold him the horses, was it probable that he would have acted in such a manner? and if he had not sold him them, was it to be tolerated that such an outrage as this should be committed in a country like England with impunity? He (Mr Gurney) trusted that the jury would, if he made out by evidence what he had asserted in his speech, show by their verdict of that day the decided abhorrence in which they held the brutal conduct of the defendant Elmore.

Mr Gurney then called his witnesses; on which Mr Thomas produced an office copy of the writ, ex-

amined with the original; Mr Wilson, a sheriff's officer, the warrant; Mr Duke, the bailbond; and Mr William Romley, the copy of judgment of *non-pros.*, which had been sued out in the different periods of the cause of "Elmore v. D'Aoust."

Mr Spurr, of the firm of Kearsey and Spurr, then deposed, that in consequence of his signing judgment of *non-pros.*, the defendant's attorney had paid him nine pounds for taxed costs; the Marquis was, however, still fifteen pounds out of pocket, in consequence of that arrest, not to say any thing of the fee which had been paid on the bailbond.

On Mr Scarlett making an observation in this stage of the business, that no proof had been exhibited of the affidavit to hold the Marquis to bail, Mr Gurney declared his intention to call Mr Bartlett, defendant's attorney, to prove it.

Mr Bartlett then deposed, that Mr John Elmore, defendant's assistant, gave him instructions to arrest the Marquis; he had no authority from Mr George Elmore, the defendant, personally.

Joseph Bradley, Esq. had known the plaintiff for several years, who is of great distinction in France. He accompanied him on the 24th of September 1817, to defendant's stables, where he (witness) acted as interpreter. A brown horse first attracted their notice, and afterwards a bay one; for the brown one hundred and fifty guineas were asked, for the bay one hundred and eighty. The Marquis said that he would give two hundred and twenty guineas for the two, if he liked their action. Mr Elmore would not at first accede to this proposal, but showed them to two other gentlemen then in the yard, one of whom he understood to be a Mr Lee, of Bexley, in Kent. After this he took witness into a

stable, and endeavoured to make him offer a large price, by saying that Mr Lee would give one hundred and fifty guineas for the brown, if the Marquis did not purchase it. The Marquis, however, told him, (witness,) not to make any advance in his offer; and when Mr Elmore found that the Marquis was resolute, he said that he would take the two hundred and twenty guineas. This was communicated by witness to the Marquis, who said, that before he closed the bargain he must see the horses leap, as they were wanted for hunting. It was therefore agreed that the horses should be saddled and taken into the fields. While this was doing, witness and the Marquis stood in the gateway. John Elmore came up to them while there, and said, that if the Marquis would give him ten pounds more when he returned to England, if he liked the horses, he might take them on trial for two hundred and twenty guineas; if he did not like them, he (Elmore) would then take them back, and return the Marquis his money. The Marquis not liking this proposition rejected it, and the horses were in consequence taken into a field, called Harper's field, about three quarters of a mile from Elmore's stables. When they arrived there, Elmore galloped the horse round it, said that he could find no hedge at which to leap, and proposed going into the Grand Junction ground. Witness then desired him to leap the gate or ditch leading to it; he said that he would leap it from the other side. There was a hedge in that field, to which Mr Elmore rode, as witness supposed, with intention of leaping it, but instead of doing so, he galloped through a gap. Witness said to him, "Will you leap, if you please?" "No," said he, "*my nerves are not strong enough.*" It was a low hedge,

and need not have frightened him. Witness then said, "Why did you come here if you did not intend to leap the horses? It was the wish of the Marquis to see the horses leap, and you won't let them." He then said, that the Marquis and witness might leap them; but for himself, he generally leaped his horses in the riding-school, and not in the fields. The Marquis, was much displeased. The Marquis and witness mounted the brown horse, but neither of them liked it much. Mr Elmore then led the Marquis out of the field, and at the same time rode off at a very quick pace on the bay. The Marquis then dismounted, gave his horse to the boy, and also his card; and added, that he would give one hundred guineas for the brown, if he might be allowed to make trial of it. This was on the 24th September; on the 27th the Marquis was arrested at defendant's suit, at dinner, at Morison's hotel, in the presence of witness.

Cross-examined by Mr Scarlett.—He was not bail for the Marquis. The Marquis was so much alarmed at the insult offered to his person, that he left England immediately, though not before he had put two hundred and fifty guineas into Mr Spurr's hands. He never left the gateway at all, during this transaction, nor had he ever any conversation with Mr Elmore about keeping these horses at livery in his stables, in case the Marquis should buy them.

Mr Gurney here declared his case to be closed.

Mr Scarlett then rose on behalf of defendant, and rested his defence on these points: first, that Elmore had either actually sold them, or firmly believed that he had; secondly, that as Elmore could have sold them to another gentleman for the same price, he had no occasion to

have commenced proceedings against the Marquis, if his wish had been merely to extort money; thirdly, that no prejudice ought to be excited against his client from his discontinuing the action, as it had been done by the advice of his attorney, who told him that he had better drop the action, as he had an opportunity of selling the horses to advantage. He stated, that under these circumstances he did not expect they would be of opinion, that the arrest in question was either malicious or without any reasonable or probable cause; or that it was in any respect a trick to extort money. The remainder of his defence will be best understood by the following abstract of the evidence which he called:—

Mr John Elmore, brother of the defendant, said that he recollected the Marquis d'Aoust and Mr Bradley coming to his stables in September 1818, and looking at his horses. Mr Savigniac, a Mr Lee, and a Mr Gibson, were then present. Witness asked two hundred and forty guineas for the two horses, and never demanded one hundred and fifty for one, and one hundred and eighty for the other of them. The Marquis offered two hundred guineas for them. Witness advised them to make up their minds quickly, as another gentleman was inquiring anxiously about the horses. He did not himself understand French, and so conversed with Mr Bradley only. Mr Bradley said that the Marquis would take the horses for two hundred and twenty guineas without a trial, if they were warranted sound. After agreeing on the price, Bradley said the Marquis was not leaving town immediately, and wished to know what he would charge for each horse at livery. Witness replied, "one guinea per week." The two gentlemen then went away for half an hour,

and he considered the horses to be then standing at the expense of the Marquis, and not of his brother. In consequence of this idea, he refused to treat with any gentleman on the subject. Shortly afterwards they came back, and desired two of defendant's men to lead them over the stones. Witness replied, that he would set his boy on one of them, and to oblige them would ride the other himself. Nothing was then said about any leaping, nor is it customary to allow a gentleman to leap a horse, which he has not purchased, over a hedge. When they got to the field, they asked witness to leap a small ditch, which he did; they then wished him to leap a bank with a ditch on both sides, which he refused to do, deeming it unsafe; and as he persisted in refusing, the proposition was at last dropped. After they had mounted the horses, and rode once or twice round the field, witness asked leave to return home to attend to his business. They granted it, and dismounted, on which he got on the bay horse and trotted quietly home, leaving the brown horse and his boy with them. In about twenty minutes afterwards, the brown horse was returned with a message, that the gentleman would not have either of the horses. Witness wrote on the subject that afternoon to the Marquis, but never received an answer; he also went to his hotel, but had not the pleasure of finding him at home. The next day, the interpreter, Mr Bradley, and another gentleman, came to his stables, but he did not see them. Witness made affidavit to hold the Marquis to bail, conceiving the Marquis to have made a formal contract for the horses; if he had not, he would have treated with Mr Savigniac for the sale of them. After the Marquis had gone abroad, he

sold the brown horse to the Marquis of Blandford for one hundred and fifty guineas, and the other to Milton, the horse-dealer, for one hundred. His brother did not proceed in the action because he had an opportunity of selling the horses.

Cross-examined by Mr Gurney.—He is not a partner with his brother; neither does he receive any commission for the sale of horses. Not a syllable was said in the yard about leaping the horses in the field.

Mr Bartlett, defendant's attorney, again examined.—The declaration was delivered before the horses were sold, and they were sold by his advice.

Cross-examined by Mr Gurney.—Messrs Kearsey and Spurr desired him to take measures for going to trial in the first sittings in Michaelmas term. This, it was proved by his own letter, had been declined; he also wished to know from them whether M. d'Aoust would pay thirty guineas and the costs to be released from his bargain.

Mr Charles Savigniac was present at Elmore's livery-stables while the Marquis and the interpreter were there looking at the two horses in question. Mr John Elmore told him that the Marquis d'Aoust had agreed to purchase both for two hundred and twenty guineas. He believed they were sold. Elmore asked one hundred and fifty guineas for the brown horse. They were certainly cheap for two hundred and twenty guineas.

David Gibson was at the stables all the time that Mr Savigniac, Mr Bradley, and the Marquis were. He considered that the horses were sold, and heard nothing about leaping them. Bradley said, "We will take these horses without trial, on condition that you warrant them sound." Elmore said, that he would give a stamped receipt to that effect. He

then heard the conversation (previously detailed by Elmore) about the livery.

Cross-examined by Mr Gurney.—He is a journeyman stationer, in Thames-street, and does not trade for himself; is intimate with John Elmore, but not with his brother George; and is not often at their stables, though he happened to call on that day.

The Lord Chief-Justice here interposed, and asked Mr Gurney, whether this had not more the look of a misunderstanding than a malicious arrest, without any reasonable or probable cause.

Mr Gurney submitted, that nothing had yet appeared, as he would shortly prove, inconsistent with the case which he had previously stated.

Thomas Clark was next called, and corroborated the testimony which Mr John Elmore and Mr Gibson had given, regarding the pretended warranty, and the price per week for the horses standing at livery. As it appeared from some evidence which had been given at an early period of the trial, and which was not in other points very material, that this witness understood French, and had been sent into a stable by Mr John Elmore to listen to the conversation between Mr Bradley and the Marquis, he was severely cross-examined upon the point, especially as he swore positively that he heard the bargain made, for two hundred and twenty guineas between the Marquis and Mr Bradley.

The defendant's case being now closed, Mr Gurney rose in reply. He said, that on a review of evidence, and on a comparison of testimony, the jury could have no difficulty in determining which of the two parties they ought to believe. If they recollected all the circumstances of his case, they must infer the malice from

the want of all probable cause for the arrest. The transaction occurred on the 24th of September, and the arrest took place on the 27th. On the 7th of November, the attorney of the Marquis desired to bring on the trial in the Sittings for Michaelmas Term; but to this the defendant in this, and the plaintiff in that action, refused to accede. In January, the declaration was delivered; and in the Easter term following, the Marquis was obliged to rule them to join issue. This they also declined, and in consequence the Marquis signed judgment of *non-pros.* What defence then does Mr Elmore now set up for this discontinuance? Why, that he had sold the horses very advantageously, and yet he refuses to produce either the buyer or the receipt for the money. Mr Gurney then proceeded to comment upon the evidence of the different witnesses, and expressed himself in very strong terms regarding that of Mr John Elmore, whom he called a "dandy horse-dealer," a most finished representative of all horse-dealers whatsoever, and a fit character for the stage of either Drury-lane or Covent-garden. He contrasted the story which he had told with that told by Mr Bradley, who had very often in the course of the trial been scoffingly styled the interpreter, though in fact he was no interpreter, but a gentleman of independent fortune. He said that it had a very suspicious look with it, that the defendant had not produced the boy who was on the field with him, and whose testimony must have materially corroborated his own, had it been correct. He also showed, that though Mr John Elmore had sworn that he had never asked one hundred and fifty pounds for the brown horse, the testimony of his own witness, Mr Savigniac, proved that he

had. The story of leading the horses over the stones for the Marquis and Mr Bradley to mount, was also very improbable: if it were true, they must have returned immediately after that measure was effected. Was that the case? No; and he might infer from that proceeding, that the horses were taken out to try their leaping, and that no contract for their sale had been made. Mr Gurney then finished a very long and animated speech, by informing the jury that witnesses were not to be numbered but weighed; that the amount of damages was much beneath his client's notice, and by conjuring them not to let a foreigner when he came to ask for justice ask for it in vain.

The Lord Chief-Justice then summed up the case, and the jury returned a verdict for the plaintiff—*Damages* £100. 6

GAMBLING.

Court of Common Pleas, Tuesday, Feb. 16. (Before Sir R. Dallas, Chief-Justice.)

CHRISTIE v. JONES.

This was an action brought by Mr Christie, the auctioneer, to recover from the defendant £ 509, which, being money belonging to him, was, he alleged, won by the defendant at games of cards, of his clerk, at different times and places.

Mr Sergeant Copley stated this curious case, which is detailed in the following evidence:—

William Rickards said, he had been servant to Mr Christie seven years. He was discharged at the end of July last. In his situation as clerk he was in the habit of receiving money due

to Mr Christie, as an auctioneer, to a considerable amount. The various sums were paid on account of jewels, pictures, and property, sold in Pall-mall. The witness had known the defendant between one and two years. The defendant lived in Pall-mall, and kept a billiard table. The witness had played with him on many occasions at cards. He played with him for money about the 22d of April last. The defendant knew he was a clerk, but did not know he received his master's money. The first time he played with him at cards, was at the Star and Garter, Pall-mall. They played at cribbage, and the witness lost L. 30, the money of his employer, Mr James Christie. He met him again about the 30th of April, and playing again with Mr Christie's money, lost L. 70. On that occasion they began with L. 5 a game, and increased it to L. 10 and L. 15. He met the defendant also at Bedford's Rooms, in Pall-mall, and played with him till a late hour. Two of the defendant's brothers were present, and he believed Mr Bedford was there, but could not speak positively. The witness also played with a friend of Jones's, who was introduced to him. This friend pretended ignorance of the game, and it was understood that he was from the country. The defendant proposed his friend should play for him, and the witness should give him two holes at cribbage; leaving him at the same time at liberty to instruct him in his play. The witness was a winner on that occasion to the amount of L. 60, part of which remained unpaid, but Jones paid it next day. On the 1st of June he played with the defendant's friend on the same principle he had played before. The stakes were made good by the defendant: on that occasion he lost L. 125, which was Mr Christie's money. He was

unable to pay L. 15 of the lost money that night, but the next day he met the defendant, and paid him L. 15 out of Mr Christie's money. Upon another occasion he played with the defendant's friend, at the sign of the Haunch of Venison, in Brook-street, for L. 150. The defendant put down the stakes. The witness lost L. 80, which was Mr Christie's money. He remembered going with a L. 100 Bank-note, which he had taken at Ransom and Morland's, in payment of a check given by Mr Woodburn, of St. Martin's-lane, for property bought of Mr Christie. He lost the note in question to the defendant.

John Langdon, another clerk to Mr Christie, was at the Haunch of Venison, in Brook-street: he went by invitation of Rickards, and met him there, playing with the defendant. A Mr Davidson was also present. Davidson was the friend of the defendant. About 12 o'clock Rickards went out for money, and came back with a supply, which he lost.

Mr Sergeant Vaughan addressed the Jury for the defendant, and contended that no credit ought to be given to such a person as Rickards, who came into Court as a witness, to avoid a prosecution for felony. He called no witnesses.

The Chief-Justice drew the attention of the jury to the main features of the case; namely, the credit due to the principal witness. It would be dangerous, he said, to the public interest to hold that a person who had been decoyed into a gaming-house and led to commit crime, was not to be received as a witness. Transactions similar to that before them in general took place at midnight, and persons who became dupes of the designing gamester were, perhaps, the best witnesses to bring offenders to justice. Independently of all other considerations, the jury

would find the witness Rickards confirmed by other witnesses. If the jury had a doubt, they would give the defendant the benefit of it; if they had not, they ought to find a verdict for the plaintiff. If they did find for the plaintiff, they might rest on their pillows with the consolation that they had rendered a service to the public.

The Jury, without hesitation, found a verdict for the plaintiff—Damages L. 509.

LIABILITY OF SURGEONS.

Court of King's Bench, Saturday, February 27. (Before Lord Chief-Justice Abbott, at Guildhall.)

NEATE v. PETTIGREW.

This was an action against the defendant, a surgeon, to recover damages for his negligence and want of skill in the care of the plaintiff, who having dislocated his shoulder, employed the defendant to reduce the dislocation; but in consequence of his want of skill, the plaintiff wholly lost the use of his arm.

Mr Scarlett, with whom was Mr Tindal, stated the circumstances of the case. The plaintiff was a respectable artisan, and had been employed as engineer and brass-founder in a large manufactory in the city, and by his industry was enabled to earn about four guineas a-week. On Sunday, the 11th of July last, he was returning home about twelve o'clock at night, in a gig with a friend, and by some accident the vehicle was upset on Blackfriars Bridge; in consequence of which the plaintiff's right shoulder was dislocated. He was carried, in great pain, to the house of his friend, who

resided in Fleet-street. Surgical assistance was immediately sent for, but the messenger having gone to two or three other surgeons, none of whom could be found at home, he went to the house of the defendant, who then kept a surgeon's and apothecary's shop in Fleet-street, at the corner of Shoe-lane, and on inquiring for him, the answer was, that he was ill in bed, but his assistant undertook to attend the patient. He was immediately conducted to the plaintiff, who was then lying in the greatest agony, and attempted to reduce the dislocation; but appearing to bungle the operation, he was asked, whether he had ever set a dislocation before, and he answered, fifty times before. After pulling and dragging the arm for about an hour and three quarters, during which time the plaintiff was under the most excruciating torture, he said the dislocation was reduced, bandaged the shoulder, and then went away for the night. The plaintiff having passed a dreadful night, the next day he was worse, and on the third day the defendant himself paid him a visit, and after looking at the shoulder, appeared quite satisfied that all was right; assured his patient that he would be well enough in ten days to go out, and in three months would recover the perfect use of his arm. He continued to use the defendant's prescriptions for about seven weeks, when finding himself no better, he consulted Mr Gilham, a surgeon in Blackfriars-road, who, on looking at the shoulder, immediately discovered that it had never been set, that all the inflammation had subsided, and that the end of the bone had formed a new bed for itself in the muscles, and had become fixed by the osseous matter which surrounded it. In a case so extraordinary Mr Gilham did not like to act upon

his own judgment, and feeling for the reputation of Mr Pettigrew, but still more regarding the life of the plaintiff, he determined to consult Mr Cline; and upon considering the case, with another eminent surgeon, it was determined to attempt the experiment of the pulley, to try, if possible, to reduce the dislocation; but after the plaintiff was again subjected to the most excruciating pain, the operation wholly failed. Since then the plaintiff's arm had withered, and he had now only the use of the elbow-joint, in underhand motions. The plaintiff was a married man, with three children, who were wholly dependent upon his industry for support. In consequence of this misfortune he was thrown out of employment, and reduced almost to beggary, from having been able to live with comfort and decency. Under these circumstances he appealed to the jury for such damages as his pitiable case seemed to demand, in consequence of the gross ignorance and negligence of the defendant. No money that the jury could give would be an adequate recompence for the loss of a right arm; but the case of the plaintiff was still more deplorable when it was considered, that through the defendant's ignorance he was deprived of the power of maintaining his family. Since this unfortunate occurrence, the defendant had retired from business, and had sold his practice for L.600. It should seem, therefore, that he was in a condition to pay large damages; and if the evidence made out the case so stated, he was persuaded that the jury would feel great pleasure in giving such damages as would operate as a wholesome example, at least, to ignorant practitioners, and afford some compensation for the plaintiff's grievous injuries.

Mr Vandenburg, the plaintiff's

friend, who was with him at the time of the accident, proved the circumstances which came under his knowledge.

Mr Gilham, the surgeon of Blackfriars-road, also confirmed Mr Scarlett's statement, as to that part of the case which related to the subsequent treatment of the plaintiff. The defendant was a very old man.

Mr Cline gave evidence to the same effect. On his cross-examination, he said it was possible, in the case of a lusty patient, and where there was a great deal of inflammation, for a skilful surgeon not to be able to ascertain immediately whether a dislocation of the shoulder was reduced; but with accurate observation, even in such a case, it was easy to ascertain whether the bone was in its proper place. Here, however, the observation could not apply, because the plaintiff was a thin spare man, and it was impossible for any surgeon of competent skill in his profession to be mistaken. He was of opinion, that the plaintiff's dislocation had never been reduced. The plaintiff had completely lost the use of his arm for all purposes in which it was necessary to raise the hand above the chest; he might use it in underhand motions.

The foreman in the house in which the plaintiff had been employed stated, that the plaintiff was a most skilful and scientific workman, and could earn four guineas a-week. He had been seventeen years in the house, and his employers had never been able to find a sufficient substitute in his branch of the manufacture. He had been an industrious and respectable man, and, in the opinion of witness, would never be able to resume his employment.

Mr Gurney addressed the jury in mitigation of damages, and urged, that the defendant was a very old

man, and was not in circumstances to pay large damages, for there was no proof that he had sold his business for L. 600. The misfortune which happened to the plaintiff was certainly much to be deplored; but as it was an injury not arising from any malice or intention on the part of the defendant, the jury ought not to give any damages which would reduce him to beggary in the evening of life.

The Chief-Justice summed up the case with strict impartiality; and the Jury, after considering their verdict for about half an hour, found for the plaintiff—Damages, L. 800.

CONVICTION FOR BRIBERY AND CORRUPTION.

Exeter Assizes, March 18. (Before Mr Justice Holroyd, and a Special Jury.)

THE KING v. SIR MANASSEH MASSEH LOPEZ, Bart.

This indictment charged the defendant with having, by himself and by certain agents, corrupted and bribed several of the electors of the borough of Grampound.

Mr Sergeant Peel opened the case on the part of the Crown, which he described as one of the most important which had ever presented itself to the consideration of a jury. Here was conduct which struck at the very root of that greatest blessing of our constitution, the freedom of election. The subject of representation had been much discussed, and various were the opinions entertained upon that subject; but all must agree, that the best way of preserving the purity of representation was to visit severely acts like those with which the defen-

dant stood charged, in every instance in which they should, by good fortune, be detected. The borough of Grampound (the Learned Sergeant continued) contained sixty voters, claiming that right in respect of being freemen. In November 1815, a meeting took place between Sir M. M. Lopez and a man of the name of Hoare, who would be called as a witness. Hoare being a voter of Grampound, the object of the meeting was to adjust terms for bringing Sir M. M. Lopez in for the borough. This was to be effected by a loan of L. 2000 to the electors; this loan being really a gift, and the price of their votes. In addition to the evidence of Mr Hoare and other gentlemen, the Learned Sergeant would produce letters from Sir M. M. Lopez himself, which could leave no doubt as to the nature of the transaction.

A number of letters were then read from Sir M. M. Lopez, and from Mr Hunt, his solicitor, addressed for the most part to Mr William Hoare. By these letters, it appeared that Mr Hunt was the confidential solicitor of Sir M. M. Lopez, and that he was the agent employed to manage the business of this election, that L. 2000 were to be paid upon securing forty-five voters; that the L. 2000 were to be a loan, and to be paid by Mr Hunt. After expending considerable sums, it appeared that Sir M. M. Lopez felt rather insecure as to his interest. Mr Teed, the present petitioner for Grampound, paid a visit to the borough, and Sir M. M. Lopez declared, in one of his letters, that far from being alarmed by Mr Teed's journey, if that gentleman would place him in the situation in which he stood before the commencement of the negotiation, he (Sir M.) would resign his interest to him. One of these letters, in which, speaking of the electors of Grampound, Sir M. M.

Lopez says, "If they can find any gentleman who will pay them better, they may transfer their services to him." And another, in which Sir M. hopes he shall not be put to the additional expense of a dinner to the voters, excited considerable merriment.

William Hoare being examined by Mr Gaselee, swore that he was an alderman of Grampound: that in November 1814, he went to London, and saw Sir M. Lopez at his house in Arlington-street: that he gave Sir M. Lopez a letter of introduction from Sir John Derring: that Sir M. Lopez said he heard there was an opening in the borough of Grampound, and that he should be coming down soon, and would see witness on the business: that Sir M. Lopez requested witness to consult the rest of the magistrates and free-~~men~~ on the subject, and write him word: that witness then told Sir M. Lopez that the electors must be satisfied, and L 2000 would be necessary for that purpose: that after he returned to Grampound, he wrote to Sir M. Lopez on the subject, and received an answer. In the beginning of the month of December he met Sir M. Lopez at Plymouth, and stated that he went with him to Mr Hunt's office, where he saw Mr Hunt: that he then explained to Sir M. in the presence of Hunt, that the freemen wanted L. 2000, and that Sir M. Lopez said Hunt should go down: that Hunt was to Grampound twice: that on the first occasion he did not see so many of the freemen as he expected, and only staid a few hours: that he afterwards met Hunt by appointment at St Austel, and Hunt came again to Grampound, where he saw about forty of the freemen: that he told Hunt that the freemen expected L.50 each: that Hunt said that could not be, as they

could have only L.35 each: that Hunt then desired him (witness) to send the voters into the room (a room at an inn) one by one: that he did so: that Hunt's clerk, Mr Rawle, and John Brown a voter, were in the room, when witness left it: that Symons was not introduced at this time: that he saw Sir M. Lopez some months after, at his seat near Plymouth, and that Sir M. Lopez then said, "I have secured Symons; I have done something for him here;" touching the palm of his hand: that he afterwards introduced Allen, a voter, to Hunt, who did not seem inclined to receive him, as they had already got a majority.

On being cross-examined by Mr Adam, he said, that when Mr Teed and Mr Lambe, his solicitor, came down, he told them he had a letter from Sir M. Lopez, in which Sir M. said he would relinquish his claim to any gentleman who would do better by the borough: that as he was looking for this letter among others from Sir M. Lopez, Mr Lambe said, "I will look for it": that Mr Lambe then took all the letters, and said he would return them: that they had not been returned: that he was anxious to have them back, lest people should suppose he had sold them. When Hunt came to Grampound the second time, and witness sent in the freemen, one by one, he did not see any one receive money.

Did you receive any money?—Yes, I did.

Mr Justice Holroyd.—I ought to tell you, you are not bound to answer any question which may criminate yourself.

Mr Adam.—I now put the question again. Did you receive any money?—Witness, I do not choose to answer.

Mr Teed (examined by Mr Sergeant Pell) said, that he was an un-

successful candidate for Grampound last election, and was at the present moment a petitioner: that in August 1817, he received from Isaac Watts, a voter of Grampound, a paper containing the names of the voters, who had been bribed by Sir M. Lopez, and that Watts told him the respective sums paid, which he put down against the respective names: that he called on Sir M. Lopez in London: that he told Sir M. Lopez that he called, at the desire of Watts, to know what he (Sir M. Lopez) intended to do respecting Grampound. If he (Sir M. Lopez) would be content with one seat, he (Mr Teed) might have the other: that witness then told Sir M. Lopez he was acquainted with his proceedings at Grampound, and produced the list he had received from Watts: that Sir M. Lopez merely expressed his surprise where the witness could have got so correct a list: that Sir M. said the sums were very correct, except that he had paid more to some than was put down. The witness told Sir M. Lopez that he and the electors were subject to a prosecution: that Sir M. Lopez then said, he would protect the electors if it cost him £100,000: that he had taken counsel's opinion, and that the electors were not liable, because two years had elapsed since the transaction.—On his cross-examination by Mr Adam, Mr Teed said, that he did not tell Sir M. Lopez that he should be prosecuted; but only, that he was liable to prosecution: that the letters were taken from Hoare by Mr Lambe, with the consent of witness: and that he (witness) did not choose to return them when he discovered their contents.

Mr Moore argued on the part of the defendant, that the money in question had been given from charitable motives, to assist the borough

of Grampound, which was at that time in great distress. He commented at considerable length upon the testimony of the various witnesses who had been called on the part of the prosecution. The Messrs Hoares, he said, stood convicted, by their own confession, of the very crime which they were attempting to charge upon Sir M. Lopez, and were quite unworthy of credit. The jury should be cautious. If a landlord lowered his rents to assist his tenants, and was afterwards returned by their votes to Parliament, would that constitute bribery? Where was the difference in the present case? The Learned Counsel then commented with some severity upon the evidence of Mr Teed, and concluded with a hope, that if the jury entertained any doubt upon the case, they would give the benefit of that doubt to the party accused.

Mr Justice Holroyd summed up the evidence at considerable length, and expressed his opinion, that if the witnesses were to be relied on, the case had been already made out. The jury, without leaving the box, found the defendant *Guilty*.

N. B.—In order to present consecutively both the trials of Sir M. Lopez, for bribery and corruption, we have been induced to infringe the series of dates, in order to accomplish this object.

BRIBERY AND CORRUPTION.

Devonshire Assizes, Exeter, Wednesday, August 4.

THE KING v. SIR MANASSEH MASSEH LOPEZ, Bart.

Mr Sergeant Pell.—This information has been instituted by the House of Commons, who have called in aid

the assistance of the Crown for this purpose. They have thought it their duty to the commonwealth, to submit to a jury this important case of the most flagrant and abandoned violation of the freedom of election. The election for Barnstaple took place on the 18th of June 1818; at which time Sir M. Lopez and Mr Ommancey were the persons returned as duly elected to represent the borough. The House of Commons, however, on a petition, declared that Mr Ommancey alone was duly elected, but that Sir M. Lopez was not so, and that such bribery was proved with regard to him, as demanded his being offered up a victim at the shrine of offended liberty.

The writ issued on the 11th of June: this was material with regard to that part of the charge which states him to have been guilty of treating between that time and the election—a period when all such acts are forbidden. Certainly, if the purity of election could find her abode in any country in the world, that resting place would be England: and whatever wild, visionary theorists might complain of, the complaint existed rather in the slumber of the laws, than in the want of them. One or two instances like that which he fondly hoped the present case would afford, of meritorious punishment awarded against the foul offence of corrupting the choicest birthright of Englishmen, would produce a more salutary reform than all such ill-directed theories. The present case was indeed an arduous one. There was not a single witness that would be called who would not endeavour to protect, not only the defendant, but himself. One, however, he hoped, would enable him to connect the defendant with the offence. He meant Mr Gribble, who was the agent for Sir M. Lopez at the time. He warned the jury against being deluded by the flimsy attempt

that might be made to save Sir Manasseh from their indignation, by proof of his having accompanied the act of giving money to his agents, with a verbal proviso that he would not recognise them as his agents in any acts that should endanger his seat. Audacious attempt to evade the laws of this mighty empire! And was this the way in which the House of Commons was to be composed? The information before you speaks its voice; it tells you, in the thunder of indignation, that it disdains and abhors such efforts to corrupt its purity. If a person may go to a borough, and give so much to one—so much to another—so much for lost time to the resident voters—such a *vialicum* to the out-voters—and save himself harmless from prosecution for corruption, by simply adding to his bribes, “Mind, I do not intend to endanger my seat by this;” a loophole is offered to every one to creep out of the strictest enactments against the offence. But, in such cases, the rule held, “*Qui facit per alium, facit per se.*” The learned gentleman then detailed the facts of the case.

John Gribble.—I live at Barnstaple, am a banker, and have been so ever since 1809. I have two partners, and am well acquainted with the borough of Barnstaple. The right of voting is placed in free men—born free, apprentices, and freemen chosen by the corporation; the number is about 570 freemen. More than 500 vote for the return of members; I am a voter; I voted for Sir M. Lopez; I was an agent for Sir M. Lopez at that time. I think there are 160 resident voters, I knew Sir M. Lopez before the election; I remember the election on the 18th of June, and shall always remember it. I had seen Sir M. Lopez every day from the 10th of June till

he left Barnstaple; I had several interviews with him, for he had no other person with whom he consulted at all; he consulted with me about his election. I do not know that there was any particular plan determined on by us. I keep money at Esdaile and Company's. The sum of L.2000 was remitted to us at the first payment. How should I know whose money it was? I mean to say, I did not know that Sir M. Lopez was going to pay me through Esdaile's house, but I knew that Sir M. Lopez intended to repay me what money I had advanced him. I paid the expenses of the election at Barnstaple, and Sir M. Lopez was of course to repay me them. After the election was over I first knew that the money was to be paid by Sir M. Lopez. I remember Sir M. Lopez giving me a paper before the election, on the 10th of June, when he came to Barnstaple. When he gave it me he said, the election ought not to cost more than that sum. I said, it could not be done for the money; the money was either L.2100 or L.2200. I have never seen the paper since. Mr Law and the Reverend Mr Ratcliffe were present. Law wrote, and, I believe, I did so too, what we thought the expenses would be. We showed him the paper: Sir M. Lopez said, he would not expend that sum of money. I told him that as there were then only two candidates, if there were no other it would not be so great. Sir M. Lopez did not take away the paper: it remained with me: I saw it after the election: I have searched for it, but cannot find it. With respect to my paper, I think it put the sum at L.3200. Sir M. Lopez took away the paper he brought with him; I have never seen it since. We calculated the out votes. We paid for the out-voters at the rate of L.20 a man. I paid L.1500 or L.1600 for

the out-voters. There was a great deal put down in the paper for the out-voters: and with respect to the in-voters, I thought it was L.3 ahead; but since that time I have had a conversation with Mr Law, and am rather disposed to think that it was L.5. When Sir M. Lopez saw my paper, he said, "I will not have one shilling expended or given, that will endanger my seat." At that time he had the paper in his hand, I think. I said that I understood there had been L.3 a man given at the preceding election, and asked him if he meant to do the same again. He made no reply: indeed, I do not think he heard me. I paid for the expenses of the election L.3048 and some odd shillings. I have been repaid that money. It was paid in by Sir M. Lopez into Esdaile and Company's for my use, and remitted to me on the 25th of June 1818. I do not ask for the money, it was paid immediately. I had the very sum I specified, as expended, transmitted by the bankers. It was about the 10th of May I destroyed the book in which I entered the expenses I was put to on account of the election. When I was called as a witness in the House of Commons, I produced the book there. When I was examined in the House of Lords, I told the House that I had destroyed the book—I had destroyed it in the interval; if I had had any direction, I should have kept the book, which contained my expenses with regard to the election. I knew a person of the name of Wilkinson at Barnstaple. He is a hair-dresser and keeps a grocer's shop. I paid him a part of the L.3048, about L.380. I employed him under me as superintendent of the minor parts of the election. I had employed him two or three years before. I sent him in May to give a supper at three places, Torrington, Bideford, and

Barnstaple. I gave him L.75 for the trouble he took. I canvassed with Sir M. Lopez. Sir M. Lopez lodged with Rennell. I paid the voters all that was paid: thirty-three voters L.5 each. I paid two or three on the 22d of June, and others afterwards—all after the election.

Cross-examined. — Sir M. Lopez certainly looked at the paper I had in my hand, and saw what the amount was. Sir M. Lopez is excessively deaf; I really think he did not hear my question about the L.3 and L.5; nothing ever passed about these two sums, in any conversations between us afterwards. Sir M. Lopez said he would not give one shilling that would endanger his seat.

William Gay lives at Barnstaple. Nobody introduced me to Sir M. Lopez: he asked me for my vote: it was at a shop at Stevenson's: I saw Stevenson in Elephant-lane: the election was on the Thursday, and I received money just before the election: I received it of Mr Ommaney. On the Monday after I received a L.5 note from Mr Gribble. I did not ask him to give me any thing. I asked him if there was any thing to be had before the election: he said there was not, nor did he promise me any thing after. After the election I did receive L.5, but not from his promise, or any other person's.

Nicholas Greenslade.—I do not remember Mr Gribble asking me to vote for Sir M. Lopez. I always vote independently. I might have been asked to vote for Sir M. Lopez. I do not recollect, but I think I may have been—perhaps by Mr Gribble. I think Gribble did so, and Sir M. Lopez and Wilkinson were present. I think I told him that I would consider of it till to-morrow. I saw them the day after. I told them that I had promised my vote to Sir Henry Thomson.

Mary Tossel, the wife of the younger Tossel. I know Rennell's house, where Sir Manasseh Lopez lodged. Both the Tossels are voters. I know not whether I was there before or after the election, but was there once. I believe I saw Sir Manasseh Lopez there. I know Wilkinson, but cannot remember whether he was there. I do not remember who showed me up stairs. I cannot recollect that I saw any person at the door. Sir M. Lopez was up stairs. I cannot recollect how I came to go up stairs, though it was in a strange house. I believe that the committee-room was there. I saw Sir Manasseh and John Gribble, and went out of that room. Nobody went away with me. I did not go to speak to Mr Gribble. I had an acquaintance with one of the servants. I did not go into the committee-room to speak to the servant-maid. Mr Gribble said he would give me something for my husband's loss of time in supporting Sir Manasseh, and a present to myself. I remember not what he said he would give me. I cannot recollect when this was. I cannot recollect if my husband had voted. After the election I went to Mr Rennell's again. Sarah Harris went with me. I there saw Mr J. Wilkinson. We borrowed some money of Wilkinson; he lent us a one pound note each. When Wilkinson lent me this money, he said nothing. I went to Mr Gribble's house five or six days after. Wilkinson said my husband owed him something, and he would go and settle with him. I never saw my husband receive any money. I was examined before the House of Lords. I was not examined on this subject. I do not know any thing about any demand of this debt.

Robert Knill was at Wilkinson's house before the election; they were eating and drinking, and Wilkinson

was with them: Sir Manassch's health was drunk: I have an idea there were more than one—I believe there were more than one—there might have been two, three, or four. Whilst I was there, people came in and went out. They had beer. Wilkinson might hand some about. I never saw the freemen pay any thing. I saw Gribble over at the hired room. There were some freemen in the room with him. This was more than a week before the election. Sir M. Lopez canvassed me; but I can recollect nothing about whether or no Gribble was with us, or Wilkinson. I was with my brother Richard the day before the election. Gribble was there. He asked me if I had made up my mind as to my vote. I told him I had not; but that I would make up my mind, if I could get some money for my loss of time. I did not know at all what he meant by making up my mind. Gribble said nothing more to me, but went off. I voted for Sir M. Lopez and Sir H. Thompson. I saw Gribble on the Monday after I voted, and he gave me five pounds.

John Tossel, husband of Mary Tossel.—Before the last election I owed Wilkinson five pounds. I owed it him four or five years. I understood that five pounds would be paid to poor men for loss of time, as a present for their families. Instead of giving me the five pounds, Wilkinson tore the note.

Sarah Harris, wife of Edward Harris—Knows John Wilkinson; and remembers going to Rennell's, where she saw Wilkinson in the passage. She went to Rennell's house with Mary Tossel, to borrow a one pound note. He lent her one. On the Monday following she went to Mr Gribble's office, and was told that the poor men were to have L.5, for loss of time. Mr Gribble and Mr Wilkinson were together at the office; Mr Gribble put five pounds into Mr

Wilkinson's hands, and witness had four. Witness told Wilkinson to pay himself one.

Edward Harris, husband of the last witness. — Does not recollect any freeman there but Greenslade; recollects not whether he has seen Wilkinson there or not; does not recollect if he was there in the morning or in the evening; does not recollect whether he ever saw Sir M. Lopez there or not.

Mr Sergeant Pell declared that he would not ask witness another question, after his gross subterfuges. Indeed, the Court seemed inclined to commit every one of the witnesses.

Richard Knill.—I remember seeing Gribble in Workhouse-lane; he asked me if I had made up my mind: I suppose he alluded to the part I was to take, in the election. I said if I could get any satisfaction for my loss of time and expenses, I would vote for Sir M. Lopez. I did vote for him. I received five pounds after I voted; Gribble paid me.

James Marsh, wine-merchant at Barnstaple, sent liquors to Wilkinson's house on the 13th of June 1818, by his order. He was paid all by Gribble, amounting to L.56, 13s.

Cross-examined.—There was an election dinner on the 18th of June.

Mr Serjeant Lens.—This is indeed a case of great difficulty. Your discrimination, Gentlemen, will indeed be taxed to determine what circumstances that have been submitted to your consideration do, and what do not tend to attach this ignominious charge to the defendant. It has been truly stated to you, that this information is brought by the House of Commons, and that it does not admit of the exercise of the Attorney-General's discretion. My client bows to this great constitutional authority: he admits the power vested in this powerful arm of the state; but he knows, too, the barrier

which the constitution has interposed to shield from its crushing weight the individual whose innocence has not yet preserved him from its suspicion. He knows that a Jury of his countrymen constitute this protection, and, with a confidence the most assured, he relies on you, Gentlemen, to see that no privileges of the unhappy situation in which he stands may be lost to him, or that innocence be confounded with guilt, in consequence of the influence produced on your minds by the overwhelming authority which sanctions this prosecution. To the evidence before you, and to that alone, will you look: nor will you, he is satisfied, be biassed by any thing which has passed elsewhere. With respect to that evidence, I submit, then, that it tends to prove no other count of the information but that respecting Mary Tossel. There is not, with respect to the others, evidence of any previous correspondence whatever between Sir M. Lopez, or Gribble, as his agent, and those persons. With respect to all of them I may venture to state, that the most anxious attention has presented to my view no trace of any antecedent communication—of any antecedent hint, even of the nature of bribery. I am ready to admit that it is your duty to draw every fair inference which may enable you to say that a promise existed, antecedent to the vote given, and that it subsequently biassed the voter. Of this, however, you must be satisfied. Nothing short of it, no expectation merely, or belief in the mind of the voter that he should be advantaged by giving his voice this, or that way, no intention on the part of Sir M. Lopez, that he should be so advantaged, unless you can believe such an intention to have passed into the mind of the voter, and to have influenced his conduct, is sufficient to constitute bribery. I dis-

pute not that Gribble paid the money; but though after the election the money was given as is represented, and though it had even been done in consequence of an agreement between Sir Manassch Lopez and Gribble, yet, if it did not pass into the minds of the voters, as I have said, no count in an information for bribery can be supported by such evidence.

Gentlemen, you are not to meet fancied evils or wild theories; we may dismiss them altogether from our minds. Whether such wild visionaries as my learned friend has alluded to can be satisfied or not, you may be careless; but you will give your verdict in 1819 with the same equanimity as you would have done in 1719, when they existed not. Bribery consists not only in the giving of money, but also that the party himself should look to that money as the price of his vote. Although it is highly improper to receive a reward for a vote, yet this is not bribery. Unless the defendant authorised and encouraged hopes of reward, their existence, I may safely admit, and do so—their existence can never affect my client with bribery. Personally not a suspicion connects him with the improper proceedings which are in evidence. Is he then affected with them by the agency of Gribble? Sir M. Lopez came with an idea that the amount of the expenses of a return for the borough would fall far short of what they were represented to be by Gribble. There is not any insinuation that in the paper he produced there was the slightest entry that was improper. With regard to Gribble's, the great difference between it and Sir M. Lopez's is admitted to consist in the amount. The whole of the conversation turned on the amount. It is sufficient to rebut every idea of Sir Manassch having intended that Gribble should

do what he did as his agent, to repeat the words he used on that occasion—"Nothing shall be done that may endanger my seat." I would not wish to strain it; but in considering these words, the concomitant impressions on Sir M. Lopez's mind at the time ought to be contemplated. It must be made out that Sir Manasseh had such ideas as are imputed to him presented to his mind at the moment. The learned gentleman then alluded to Robert Knill's case, and observed, that the unfinished sentence, when Gribble turned away, could not be tortured to import assent by him to what had been said. He then alluded to the charge of treating. He observed, that the clause in the act on which this information was framed, had never, in his recollection, been had recourse to before. The usual mode of executing the act was by putting in use the clause which renders the election void. Difficult, indeed, would it be to determine what would constitute the offence. One could scarcely ask a friend to dine with one before his voting, but it would come within the terms of it. The statute, however, only attaches from the test of the writ. Its words are, "in order to be elected;" and therefore it circumscribes the continuance of its interdict to the period of the election. Here, Gentlemen, you find, to the honour of Sir Manasseh, no evidence of any wine or spirits being sent in by him. Nothing but bread and cheese and beer appear on the table for the voters. But that these or any part of them were furnished by my client no where appears. Even in civil cases we could not conclude so uncharitably as to bind a man by all the acts of his agent. Shall a man, then, be called on to answer

criminally for every action by his committee, with or without his assent? In civil cases, a little matter will make a man liable: it is no matter if your agent exceeds his authority: you have your remedy over. All reasoning of this sort, however, implies the proof of some act done, on which the reasoning may rest. There is not an instance of a man being made criminally answerable for an act which he has absolutely prohibited. With respect to Wilkinson, there is not the slightest evidence of his having such a general authority as can render Sir M. Lopez in any degree answerable for his acts. I shall therefore not call him, but shall examine Gribble as to the truth of the statement made by Mary Tossel; and, if I am not greatly misinformed, he will solve, or rather dissolve, the only particle of evidence which can in any way satisfy this indictment, namely, of such a promise as led to the giving of a vote. The learned Sergeant here closed a most able and animated address to the Jury, with calling back Gribble, who contradicted, as he had predicted, the evidence of Mary Tossel.

Mr Sergeant Pell, in reply, observed, that his learned friend admitted the crime to have been committed; he only questioned the formality and technicality of the indictment. The surprise is, not that we have not proved more, but that so much has been proved as we have done; considering the manner in which every witness has attempted to darken, confound, and conceal every fact which has been with such difficulty extracted from him. The great point for the consideration of the Jury would be, according to his learned friend, whether they should more believe Mary Tossel or John

Gribble. The learned counsel then drew an admirable picture of this corrupting and corrupted electioneering agent. In the contrast, he insisted on it, that Mary Tossel was, comparatively, a most credible witness. But he added, that there were in his judgment many other facts disclosed in the course of the evidence which would be fatal to the defence. The evidence of the Knills, of Gray too, when the latter asks if any thing is to be given before the election, does it not leave open a door to the inference, that something was to be given after? I should wish, said the learned gentleman, to see my country purified from these practices, without there being recourse had to the violence of armed multitudes. I love the voice of the people. I admire their assemblies when lawfully and peaceably conducted: but I fear them; I confess they have a giant's force, an infant's reason. I would not arm them with an instrument to destroy me and themselves too: and yet we are doing this, if we show not ourselves prompt to redress the wrongs which they complain of being done to that constitution which they idolize, wherever such invasions can be brought home to the perpetrators.

Mr Baron Graham most accurately recapitulated the evidence. He said, with respect to the law on the subject, that all the counts of the information stated a previous promise; that such promise must be capable of being inferred from the evidence. They were at perfect liberty to look at the general aspect and evidence of the case, to see if they could draw the inference that there was a communication of the promise to the voter, so that he voted under the influence of that promise; that his free agency was in a sort biassed by this view to his particular interest. Does

he act by the mere expectation of reward, unaided by any impression conveyed to his mind by the corrupter? though his vote be tainted with such a motive, he is not guilty of bribery. It is most certain that there is no other difference between this and an indictment, but what is to be found in the superior grandeur and authority of the inquest, as it were, which finds the bill—in fact, the great inquest of the nation. Their verdict, therefore, he bade them give, under his direction as to the law, in the same manner precisely as on an indictment. They retired for a short time, and then returned a verdict of acquittal.

On the 13th day of November following Sir M. Lopez was brought up to receive judgment, when he was sentenced to two years' imprisonment in Exeter Gaol, and to pay a fine to the King of L. 10,000.

EXTENSIVE CONSPIRACY.

*Court of King's Bench, Tuesday,
April 20.*

THE KING AGAINST JOHN MEYER, JOHN KINNEAR, MOSELY WOOLF, LEWIS LEVY, THOMAS KEYSE, MONTAGUE LE VOY, JOHN LEVETT, DAVID LEVY, JOSEPH JOSEPHS, SAMUEL JACOBS, MICHAEL LEVY, SAMPSON SAMUELS, HENRY WILLER, HENRY LEE, JOSEPH LEIGH, AND WILLIAM TALBOT.

This was an indictment against the defendants for a conspiracy. It charged them with having set up some of them, who were literally beggars, for opulent merchants, in order that, by their means, they might fraudulently obtain large

quantities of goods. The record stated, that the value of the goods so obtained amounted to L.50,000.

The counsel for the prosecution were Mr Gurney, Mr Alley, Mr Campbell and Mr Chitty.

Mr Gurney rose to detail the particulars of the case. But, first, he wished to state the situation in which the defendants stood. John Meyer had absconded; Henry Weiller and Joseph Leigh were not present; John Kinnear, Lewis Levy, Montague Le Voy, and Mosely Woolf, had pleaded not guilty; Joseph Josephs had entered a plea of misnomer, which could not be answered; Thomas Keyse, Henry Lee, John Levett, Sampson Samuels, and William Talbot, had not pleaded; and against David Levy, Michael Levy, and Samuel Jacobs, the prosecutors did not intend to offer any evidence.

Mr Scarlett submitted to the Court, that this would be irregular. The whole of the defendants were charged with the conspiracy, and it was not competent for his learned friend now to enter a *Nolle Prosequi* as to some of them.

Mr Gurney and Mr Campbell contended, that this mode of proceeding had been frequently adopted. It often happened at the assizes, when two persons were jointly prosecuted, that one was acquitted before the trial, and brought as evidence against the other.

Mr Scarlett said, his learned friends had cited cases; but he believed Lord Ellenborough had declared, that where issue was joined, the Judges had come to a determination not to suffer a *Nolle Prosequi* to be entered in future.

Mr Gurney observed, that the present application was not the request of the defendants, but of the prosecutor. In this stage of the business, and before the trial commenced, he

gave his consent that these three defendants should be acquitted.

The Chief-Justice said, that this had been done, as Mr Gurney had stated, on former occasions. There was a great distinction between doing it at the request of the prosecutor, and of other defendants. His Lordship was of opinion, that it was competent for the learned counsel to say, that he would not produce any evidence against those persons, and the jury might pronounce a verdict of acquittal.

The jury then rose and declared, that David Levy, Michael Levy, and Samuel Jacobs, were *Not Guilty*.

Mr Gurney said, he should now proceed to state the case, as it affected the four defendants, John Kinnear, Lewis Levy, Montague Le Voy, and Mosely Woolf. The learned counsel, in a speech of considerable length, detailed the proceedings of these persons. His statement disclosed one of the most awful, and, at the same time, one of the most successful frauds that have ever been practised in the commercial world. Its ramifications were most extensive; for the defendants, fraudulently assuming the character of merchants, had defrauded a great many traders, not only in London, Manchester, and Glasgow, but also in Paris and in the East Indies. But as the case will be best understood by the evidence adduced on the trial, we shall proceed to state it in the order in which it was given.

Mr George Childers, a sloop-seller, examined by Mr Alley.—I was formerly in business with Lewis Levy. I left him about four years ago. I failed. I knew John Meyer. He kept a lodging house for sailors in Brook-street, Shadwell. He sometimes purchased cloth of us.

Mr Kean, a publican, examined by Mr Campbell.—Meyer lived in a

small public-house frequented by sailors. I remember his leaving the house about four years ago. He owed me then ten pounds, and he compromised with his creditors. After that, he had lodgings in Ratcliff Highway, and then took a lodging-house for sailors on Tower-hill. About six months after, I met him in the city. His appearance was then that of a gentleman. He said that fortune had smiled upon him; that he was then a merchant, and that I and others should be paid. He said if I would accompany him to his office he could show me his establishment. I went to Howford-buildings, Fenchurch-street. I saw several clerks, and he showed me his bill-book, cash-book, and bankers. He said he was carrying on business to a great extent, and he hoped soon to be very rich. He also took me to his warehouse in Lime-street, where he showed me many bales of goods and packages of various descriptions, which he said he was about to ship to Holland. I asked him to pay my small account; he said he could not write a small check; but if I sent the next day, he would pay me. I did send, but did not get the money.

Mr. W. Gibbons, a distiller, examined by Mr Chitty. — I knew Meyer, when he kept the Red Lion in Old Gravel-lane. He compounded with his creditors at 2s. 2½d. in the pound. He afterwards took a lodging-house in the neighbourhood of Tower-hill. The witness then proved the handwriting of Meyer to an order of the Court of Requests, dated the 3d of October 1811, for paying 31s. 8d., and 3s. 4d. costs, by weekly instalments of four shillings. He also proved his handwriting to the banker's account, to a paper containing an account of bills, and to a

letter, dated May 26, 1817, addressed to persons at Manchester.

Thomas Merle, examined by Mr Gurney. — I let a house in King-street, Tower-hill, to John Meyer, in January 1816. He staid there till the summer of 1817. He then quitted the house without my knowledge, and without paying the last rent due. The rent was fifty guineas a-year. The house was used as a lodging-house for sailors.

Mr G. Usher. — On the 21st of October 1816, Meyer applied to me to let him a counting-house, in Howford-buildings, Fenchurch-street, at £.50 a-year. I asked him for a reference. He said he had the best reference, ready money. I said I wished another reference, and he gave me the name of a person. On my way to him I met a neighbour, who told me that Meyer was a respectable man, and that his brother was a merchant at Amsterdam. I was then satisfied. Meyer kept the counting-house for six months, and paid me. He told me he had been a Captain in the East India service, and referred me to 29. King-street, Tower-hill, as the place of his residence.

Thomas Evan, formerly a clerk of Messrs Bond and Co., bankers, of Change-alley, proved, that on the 27th of December 1816, Meyer opened an account with that house. He paid in a note of £.500, No. 1273, dated December 6.

John Dyer, a clerk in the Bank of England, produced the note for £.500, which had been paid in and cancelled.

A clerk at Sir C. Price and Co's produced a check of Messrs Rainier and Co., dated December 27. 1816, for £.985 : 8 : 11, for which the £.500 note was paid in part.

Mr Hurst, a clerk of Rainier and

Co. proved, that on the 27th of December 1816, his house discounted a bill for Lewis Levy, and gave him a check for L.985 : 8 : 11 on Sir C. Price.

Henry Murch.—At Christmas, 1816, I lived in Union-court, Broad-street. I let lodgings. About that time Weiller came to take lodgings of me. Levy introduced him. He wanted two rooms on the first floor, and offered 26s. a-week. Lewis Levy told me that Weiller was a merchant. Levy gave me a reference to Mr Meyer, Howford-buildings. Weiller did not then speak a word of English. Levy said he would make a very good lodger, and would pay me every week. I went twice to Meyer's: the first time I found nobody at home; the second time, the office was shut. I then went to the lodge, and asked how long Meyer had lived there; they said, about a month. Levy and Weiller called upon me again, and I told Levy that the people said they knew nothing of Meyer. Levy asked me in an angry tone what reference I wanted, and gave me his card. Levy lived at No. 7, Prescott-street. I then said his card would do. Weiller's appearance was rather shabby. He was nearly three weeks in the same state; but after that he was very well dressed. He remained at my lodgings about four months.

Ann Stroader, servant to the last witness.—A ragged Jew boy came to lodge at our house; he brought a small parcel with him. He had scarcely a stocking to his foot. He was afterwards very gay: several suits of clothes were supplied by a tailor named Garniss. He wore a diamond broach.

Garniss was called on his subpoena, but did not appear.

Garniss's wife was then called. She stated, that she and her husband lived at No. 4, Wells-street, Oxford-

street. Her husband had run a nail in the bottom of his foot last Thursday, and could not put his foot to the ground. She does not know Lewis Levy.

(On the motion of Mr Gurney, Garniss was ordered to be fetched in a sedan chair.)

A clerk here produced a bank-note for L.1000, NO. 8123, date, Oct. 21. 1816; one for L.300, NO. 9789, Oct. 12. 1816; one for L.200 NO. 7144, Oct. 14. 1816; one for L.200, NO. 6727, Oct. 11. 1816; one for L.100, NO. 14,804, Oct. 17. 1816; one for L. 100, NO. 16,048, Oct. 21. 1816; one for L. 50, NO. 12,152, July 1. 1816; and one for L. 30, NO. 5214, Sept. 5. 1816.

(Some difficulty here occurred in tracing the notes, and this part of the evidence was deferred.)

Mr Bateman, clerk to Minet and Stride, Austin-friars.—I remember Weiller coming to our house; he brought a letter of introduction to us: about a week or ten days afterwards he lodged in our hands L.1200, and wished to open an account with us.

Thomas Reeves sworn and examined.—I have known Mr Lewis Levy about seven years. I knew him when he was in partnership with Childers: when they failed, they were indebted to the house in which I was, Roberts and Reeves, in a considerable sum. After that period I failed myself; my business was that of a warehouseman in London, and of a bombasin-seller by commission in Manchester. In 1816 I had not sufficient business to maintain myself. At that time, Lewis Levy proposed to me to become a partner with Joseph Leigh, who, as I am told, was his wife's brother, and a young man, who had been several times on the Continent doing business for himself, and also for

others. Lewis Levy said that Leigh's father would advance L.1000 for his son, and that he wanted such a man as me, who understood the town and country business, to enter into partnership with his son, who understood well the continental business. I was introduced by Levy to Henry Leigh the father, and also to Joseph Leigh the son. Terms of partnership between myself and him were afterwards agreed on: they were proposed by Lewis Levy.

At this stage of the business the witness had a draught of the partnership articles put into his hands, which he acknowledged to be those which had been drawn by his attorney according to the instructions given by Lewis Levy. They were then read. Among various other stipulations, the following seemed to be the principal:—that L. 1000 should be deposited by Leigh senior in the hands of a banker, to be named by both parties; and that all bills, which were to be paid by the banker on behalf of the partnership, should be signed by John Leigh.

The examination of the witness then proceeded.—L. 1000 were brought forward and placed in the hands of Jones, Lloyd, and Co., Lothbury: I met Joseph Leigh on 'Change, who gave me the L. 1000 in a single note; this money I immediately carried to our bankers. Our account with them did not commence till the 5th of November 1816, though our partnership had commenced on the 27th of the preceding October. The warehouse and the counting-house which were engaged for our partnership business, was at NO: 12. in Bucklersbury. About the time of our commencing business Lewis Levy introduced John Meyer to me at a coffeehouse near the Exchange, expressing a wish that our house would do business with Meyer on a very small profit. He

told me at the same time that Meyer was a retired merchant of good property, but who was going into business, as times had begun to look better. Lewis Levy added, that though he (Meyer) would sometimes pay me in short paper, he would more frequently pay me in cash. In consequence of this information, after the usual compliments, I told Meyer that I should be glad to do business with him. He said, "If you do, it must be on low terms, as I pay in cash." An arrangement was then made between myself and my partner for my taking a journey to Manchester, to purchase goods, which, by the articles of partnership, was that province of our business that was to belong to me alone. I took this journey, and purchased our first stock of goods accordingly. The price of what I purchased was L.4000, of which sum I paid L.800 in cash, and gave short bills on our house for the rest. These bills were taken, because my character was well known in Manchester. Of the goods so purchased, a large portion was sold to John Meyer, another to Henry Weiller, and the remainder to other parties whom I cannot at present recollect. This Weiller was introduced to me at our warehouse, by my partner. He then handed me a bill for L.1000, on Messrs Lefevre of Paris. Joseph Leigh said to me, "This is the way in which Mr Weiller will pay us for our goods; take this bill to your friends, and ask them how they like it." I put the bill into the hands of several brokers, who expressed themselves satisfied with it. I afterwards gave it back to my partner, who returned it to Weiller; it was never paid over to us; but in consequence of it I gave credit subsequently to Weiller, though not at that time, as the goods which he then bought, amounting to

four or five hundred pounds, were paid for by him in cash. After this I projected a journey into Scotland. I communicated with Levy on this scheme, whom I considered my friend, from his having lent me L.800 with which to go to Manchester, and from his having offered me L.1000 with which to go to Scotland. He said that he furnished me with this latter loan, in order that I might introduce myself in a strange place like a member of a house of property. He wished to introduce me to Kinnear, whom I had however known for a year or two before. He told me that Kinnear would give him a route to Scotland, as also to every manufacturing town in the way. Shortly after this I met Kinnear, who promised me a route. I received it in two or three days afterwards inclosed in an envelope, which I did not destroy, though I do not know where it now is. I have not seen Mr Kinnear since.

William Emery sworn and examined.—I was junior clerk to Mr Kinnear, whose counting-house was in Martin's-lane, Cannon-street. He was frequently at a room in St Swithin's-lane; but whether it belonged to Keyse or Kinnear, I cannot tell. Mr Kinnear had a clerk called Page; (the route was here shown the witness): that handwriting, to the best of my belief, is Mr Page's.

Cross-examined by Mr Denman.—I have seen Page in Court this morning.

The route was then put in, and the Clerk of the Court was proceeding to read it, when Mr Denman objected to its being read. He stated, that as the action was of a criminal nature, and as Page could have been called, it ought not to be read, since the best evidence had not been procured to prove that the route had emanated from Mr Kinnear.

The Lord Chief-Justice immediately overruled the objection.

The route was then read, which described the principal articles which are manufactured in all the trading towns on the road to Perth, by way of Manchester, Carlisle, and Glasgow. It also particularised where it would be requisite to pay in cash, and where bills would be found sufficient, and concluded by advising Mr Reeves to advance liberally wherever it was necessary.

Mr Reeves's examination was then resumed.—By aid of this route I took the journey, and made several purchases. I had L.1000 paid me, and carried with me a letter of credit for L.500 on Messrs Finlay, most of which I paid away at Glasgow. The purchases made amounted to L.4000 or L.5000, of which L.1000 were paid down in cash, and the remainder in bills at two, three, and four months, on Leigh and Reeves. Our bills were regularly paid, until the last month of our being in business. I returned to Manchester, where I was desired by my partner to stay for three or four weeks, in order to make purchases, which he said his friends Weiller and Meyer would put into my hands. If I wanted money, I was to draw on him for L.300 at three days' sight. He sent me several of Meyer's acceptances. I also drew some bills on Meyer, by my partner's advice. This circumstance caused some of the Manchester people to inquire of me about Meyer, and they advised me to go up to London and look after him. I had so strong an opinion of his responsibility that I was very reluctant to do it. Before I did it, I acquainted my partner Leigh of the object of my journey to town; and on my arrival waited on Meyer, along with a Mr Lawson, who is an agent for several of the Manchester houses. I opened the conversation

with Meyer by informing him that I had come from Manchester by advice of my friends and creditors there, to ask him a few questions respecting his property. Meyer expressed his surprise and anger that I should want to make any further inquiries regarding him after he had paid me so much cash. I told him that he ought neither to be surprised nor angry at such inquiries, as they might befall any tradesman; and said that as I was doing business with my partner's property, and not with my own, it was my duty to take care that it was not injured. He then said, "Though I am not obliged to tell you where my property lies, I have a large property in Holland." I think he said that he had L.11,000 worth of unsold goods in Holland, that he had a large balance in his bankers' hands, and that he had a daughter married to a gentleman at Truro, in Cornwall, to whom he had given a large fortune. After a while he said, "This, however, is of no matter, I'll discount all my paper wherever you have paid it." Mr Lawson then said, that as a sample to try what he could do, he would give him (Mr Meyer) two of his own acceptances to discount: they were two bills, for L.300 or L.400, which Mr Lawson had received from Messrs James Berry and Company. Meyer, without saying a word in reply, went to his desk, took out his check-book, and wrote a check for the amount. He then said, "Write to all the Manchester people who hold my bills, and say that I will discount them all." I wrote to Manchester accordingly; many bills came up in consequence, all of which, being to the amount of L.1000 or L.1300, were discounted. Whilst I was in town I looked through our partnership accounts. I found that Meyer was indebted to us L.3000 for goods and bills. I did not mind this, as I

felt satisfied of his solvency. This visit of mine was in the second week of April 1817. I returned back to Manchester, and found Meyer's credit better there than it was before. In the beginning of May I received orders to make fresh purchases, which I did to the amount of L.4000; in the course of that month I sent the goods which I had thus bought, not on account of Weiller or Meyer, but of myself and partner, up to London. In return for them, my partner sent me L.500 in cash, and instructions to draw again upon Meyer. In the visits which I made to Manchester during the course of my partnership with Leigh, which lasted from the beginning of November till the beginning of June, when we were made bankrupts, I bought goods to the amount of L.31,000, of which L.18,000 have not been paid. On the 6th of June my clerk came down to me at Manchester; and, in consequence of the intelligence which he brought me, I went up to London, where I arrived on the 8th. I was told by my clerk at Manchester, and on my arrival in London I found the information correct, that Meyer had absconded. On looking into our books, I found that he owed us L.13,000, which was L.10,000 more than he ought to have done. The books were not kept by me, but by a clerk, under the direction of Mr Joseph Leigh. I did not find more than L.300 or L.400 stock on the premises, nor more than L.200 in the London bankers' hands. I had left the same sum in the Manchester Bank. When I arrived in town, my funds were so exhausted that I was obliged to ask Lewis Levy for L.5 for present subsistence. In my transactions with Weiller and Meyer I always considered them to be responsible persons. (A letter was here shown the witness from Keyse.) I recollect receiving this

letter from Mr Kinnear. (Two letters from Mr Kinnear produced.) I received these letters, but I cannot swear to their being the writing of Mr Kinnear.

William Emery was again examined, and proved the letters to have been written by Mr Kinnear.

Mr Reeves's examination was again resumed.—I believe this letter, (pointing to one which had been given him) to have been written by Lewis Levy.

Mr Gurney stated, that he should defer the reading of these letters till a later period of the trial.

Mr Reeves was then cross-examined by Mr Denman.—I knew Mr Kinnear a year before I entered into partnership with Leigh. I was at that time engaged in a trial, in which Kinnear had some interest. I first met Kinnear at Thiot's hotel, in consequence of a note which he sent me. I never wrote to him desiring an interview. Levy had told me that if I would appear for Mr Kinnear on a certain trial in which he was engaged, he would do something for me and give me a route. I mentioned nothing to him about any consignments.

John Garniss examined and sworn.—I am a tailor, and have known Lewis Levy for about two years, and not longer. I was introduced by Levy to Weiller, for whom I made five suits of clothes, and perhaps more. I had no guarantee from Levy for the payment of them. Weiller now owes me L.33, he had paid me before L.30.

Joseph Leigh sworn and examined.—I am the brother-in-law of Lewis Levy. In the beginning of the year 1816 we were not friends; at the end of that year, however, he sent for me, and I went to him. He told me that he wished me well, and hoped that I would forget every thing unpleasant which had passed between

us; if I would, he would put me into business along with a Mr Thomas Reeves, who was a very respectable man, and well acquainted with the manufacturing markets. I told him that I could not have any objections to such a project: nothing was then said about the capital which was to be advanced. After this conversation, I was introduced by Mr Levy to Mr Reeves; I then told Mr Reeves, that if he would join me in business, I would myself throw L.1000 into the concern, which sum Levy had before promised that he would advance for me. Levy did not then name any thing regarding the manner in which the profits were to be divided. I do not know that Lewis Levy wrote any thing about my articles. I think he did not, as they were drawn by Mr Loader, of Mark-lane. Levy gave me seven Bank notes upon change, which amounted in all to L.1000. (The witness here identified one of the notes for L.300, but could not swear to the remainder.) He told me to get one note of L.1000 for them. I did so, and placed it in the hands of Jones, Lloyd, and Company, for the firm of Reeves and Leigh. I do not recollect that Levy ever mentioned Kinnear's name to me. He told me, however, that Meyer was a very respectable man. Draughts of letters were sometimes brought to our house by Hyman Levy; and at other times I fetched them, copied them, and carried them back myself to Lewis Levy, who informed me that they were the writing of Mr Kinnear. I recollect the goods which were purchased by Reeves, at Manchester, arriving in great quantities at our counting-house, to which Meyer came frequently to buy goods. Whether he paid cash for those which he had at first I can't say. Levy told me that Meyer was a responsible man, and ordered me to say so to every body

who inquired for him : he also advised me to go myself, and to refer others who called for him to Messrs Woollett and Jefferson. Levy himself purchased some goods of me also, and ordered me to enter his name in my books, in order that I might have more than one name there. He also desired me to bring my invoices to him as soon as I received them. He gave no reasons for this behaviour. He several times gave me money to pay into my bankers' hands, for which I gave him checks to draw it out again. He said that this practice would make my account look well. He also recommended me to send my goods to Mr Meyer, as Mr Meyer would buy them of me. He gave me the same advice regarding Mr Weiller. I have frequently seen Mr Kinnear come into Levy's counting-house, when I was there, as also Montague Le Voy ; but I cannot say that I ever saw Woolf there more than once. Whenever Mr Kinnear came, Levy always went out with him. I observed this five or six times at least. I saw Lewis Levy on the morning of the 4th of June ; he said that he had not seen Meyer that morning. I replied, that I was going to Leaden-hall-street, and I would call on Meyer in my way. I went accordingly to his counting-house, where I met a gentleman who said that Meyer had absconded. I went home and told this to Levy, who immediately went away in a great hurry. He came back shortly afterwards, and said, that goods were expected for Meyer at several wharfs, and that I must go and inquire whether any had arrived. In consequence, I went to several, and at a wharf in Wapping, whose name I do not recollect, I found that there were eleven packages for Meyer. I told the wharfinger that I had an order for those goods, but I had not. He replied that another gentleman had been there with a previous or-

der, and that he should therefore send them to no other place than to Mr Meyer's warehouse. I said that I should be much obliged to him if he would send the goods that evening, as I wanted them for shipping. He then agreed to send them by five o'clock. I told this to Levy, who was in his counting-house. I met Woolf there at this time, and asked him, as I had not at that time a servant, to send a check which I had for £.300 to the Bank. He took the check, got it cashed, and never paid me the money. On my mentioning this to Levy, he bade me not to mind about it, as all was right. I do not recollect Woolf saying any thing about these eleven packages, nor do I know who got them from the wharf.

Cross-examined by Mr Scarlett.— When I first went into business, I had no intention of cheating the world ; I only wished to get credit and do business ; Mr Reeves wished the same. Levy paid for all the goods which were booked in his name. Once or twice he looked out some goods, and told me to send them to Meyer. I am not in debt to Lewis Levy, nor did I ever receive any loan from him except the £.1000 above mentioned. I do not recollect ever showing any bill on Paris to my partner.

William Dickinson, a clerk in the Bank of England, stated, that on the 7th of November, he had given Leigh a Bank note for £.1000, No. 8,123, dated 21st of October 1816.

Henry Troutbeck was a clerk to Messrs Jones and Company, on the 7th of November 1816. On that day, an account was opened with their house, by Reeves and Leigh. Their cash was the note of £.1000, the same as described by the former witness.

William Jameson, a clerk of Jones and Company, said, that the £.300 note, No. 9,789, dated 12th of October 1816, had been paid for a check

of Mosely Woolf's, of 7th November; and L.100 bill, No. 16,048, October 21. 1816, for a check of Lewis Levy. Mr Woolf had been a customer of theirs for thirteen or fourteen years, was a man of extensive business, and was, to the best of his belief, a man of honourable character.

Henry Weiller examined.—I am a German. At the close of the year 1816, I came from Paris to London. I had a letter of introduction to Meyer, but not to Lewis Levy. When I arrived in London, I had not more than ten francs in my pocket. I had been about a fortnight or three weeks in town, before I was introduced to Levy by Jacob Meyer, a countryman of my own. Jacob Meyer and John Meyer are not at all related to each other. I was introduced to Lewis Levy at his house, NO. 7, Prescott-street. I had told Meyer of my situation, and he had mentioned it to Levy. Levy said, "I am told, Mr Weiller, you are short of money." I said "Yes." He said, "Mr Meyer informs me you are a man of good character and of good family; and since you are so, if you will let me, I will make a great man of you." He then gave me £4, and desired me to call next morning at his office in Abchurch-lane. I called accordingly. Lewis Levy came into the room with Mr Kinnear; he said that Kinnear could speak French, but Kinnear shook his head, and said that he could not. I saw Mr Kinnear afterwards, and then he did speak French. At this time Mr Kinnear, with whom I had not then any conversation, looked sharply at me, and Levy therefore told me to call again. After this I called on Mr John Meyer, whom I found removed from Tower-hill to Howford-buildings, and to whom Hyman Maas had given me a letter of introduction: along with him I found Lewis Levy. Meyer was in an

inner room: when I was admitted I found Lewis Levy, John Kinnear, Mosely Woolf, and J. Josephs together. Woolf and Josephs seemed displeased at Meyer for having called me in; Levy therefore desired me to leave Meyer, and to call again the next day at his office. I went there, and saw Kinnear with him. Levy asked me if I could procure a letter of recommendation from Paris. I told him that I was acquainted with the head clerk of Messrs Perigaux and Lafitte, and also with Mr Perigaux himself, and that my character with them was most excellent. "If you can do that," replied they, "it is a great thing." I called the next day upon them, when they presented me with a letter to sign. After my introduction to them, Lewis Levy said that I must have a better lodging than the one which I then occupied in Hounds-ditch. Lewis Levy went with him for two or three days in search of one; I cannot tell what was said about the price of it, as at that time I could not speak any English. I had not much linen then. A tailor of the name of Garniss was, however, sent for to procure me clothes. I then went to Levy's house, and he there told me that he would buy goods in my name to give me credit. Lewis Levy went with me soon after to look for a counting-house. He examined one in Abchurch-lane, but he did not take it, as the parties were not satisfied with Mr Meyer's reference. At last, he took one in London street, Fenchurch street. Levy was with me on all those occasions. Before this, Levy had lent me some shirts and handkerchiefs. In a few days after this, the letter of recommendation which I was expecting from Paris arrived. I showed it to Levy. He took me up stairs with him; there were then present Mosely Woolf, Joseph Meyer.

and John Kinnear. They were all very much pleased with it ; and Woolf said, that it was as good as £10,000 in their pockets. It was addressed to Messrs Minet and Stride. I was then told by Levy to come to him on the next day, and to take the letter to Minet and Stride. I accordingly called next day. Levy told me that he would give me his gold watch and diamond brooch to wear on the occasion of my visit to Minet and Stride. The watch he said we might afterwards settle for, but I was to return him the brooch. The account I was directed to give of myself was, that I was a German merchant, who had come to London for the purpose of settling there in business. At the same time I received £1200, which I was to deposit in Minet and Stride's hands. I went, delivered the letter of introduction, and the money, and was very well received. On those interviews which I mention with Levy, Kinnear was generally present. I almost always saw him in the room about Levy's counting-house. Soon after my return from Minet and Stride's, I saw Keyse ; Kinnear and Meyer were present ; Kinnear told me that Keyse was a most respectable broker ; that he did business for John Meyer, and was then about to get out for Scotland, to purchase goods for him. He told me to take him with me to Minet and Stride, and ask for a letter of recommendation, and a letter of credit for him for £500. I did so. Keyse went to Glasgow ; but before he sent me any goods, he drew bills upon me. Some were at three days' sight, and made payable at Minet and Stride's. They were paid, but very few goods were sent to me after. Whatever did come I sent to Meyer's warehouse, as I had been directed by Levy. I was at first about to take a warehouse for myself, but Lewis Levy hindered me, and said that he wished Meyer and myself to have our goods in one warehouse. I afterwards put more money into Minet and Stride's hands. Some part of it I got from Levy, and some from Meyer. When I was short of money I used to tell Lewis Levy, and he either gave it to me himself, or sent me to get it from Meyer. In a short time after the commencement of our dealings, I complained to Levy, Kinnear, Woolf, Meyer, and Abraham Joseph, that I was not at all satisfied with the conduct of Keyse towards me, and that he had drawn several bills upon me, and sent me little or no goods. They told me I should be satisfied in a short time, but still not finding any goods coming, I wrote to Keyse myself. Keyse in reply said, that I should have a supply of goods sent me in a few days, and he drew several other bills upon me, which I accepted. About April or May 1817, I received a letter from Maas in Paris. I immediately took it to Meyer, who went with me to Lewis Levy Woolf and A. Joseph were present. I then informed them that I had a letter from Maas, in which he mentioned, that having heard I was in a good situation in London, he wished to give me some help ; that he had, therefore, got an order from Lafevre, the banker in Paris, to purchase goods for him to the amount of £10,000 and upwards, and that I was to draw for them bills at three months' date. At the same time there was a letter from Lafevre to the same effect. They (the parties named above) said, 'This comes from your friend Meyer, and now you will have no further cause to be dissatisfied. Such a commission is every thing. I had told them eight or ten days before this, that I was tired of the whole concern, as that Keyse was always drawing upon me, and that I never received any goods in return.

I now said that I would have nothing to do with Lefevre's commission until I was satisfied of his security. Upon inquiry, however, I found that Lefevre's was a most respectable house, and I communicated this to Levy. I was then directed to draw five bills upon Lefevre for £500 each, in order to their being sent to Paris for acceptance. The bills were drawn and forwarded through the house of Minet and Stride, from whom, in a few days afterwards, I received a note, mentioning that they had been accepted, and that I might get the firsts if I pleased. Levy advised me to send for the firsts, without drawing seconds; and when I remarked that such a proceeding would appear strange, he replied, that I was a young merchant, and that Lefevre being so well known, it would not be looked to. I therefore sent for the bills, which I received on the 5th of May. I was then told to inquire for a bill broker; but Kinnear, when I was going, called after me, and desired that I would go to Mr Sharpe, who would recommend me to one. To him I was to say how and for what purpose the bills came into my possession. I was recommended to Martelli and Royt, and the bills were negotiated through them upon the Exchange. The bills passed into the hands of a Mr Haldimand, and I got cash for them. I had opened an account at this time with Jones, Lloyd, and Company, and was induced to go to them by Lewis Levy, who said, that as Minet and Stride did not give me the best reference, it would be better to go to Jones, Lloyd, and Company. I was introduced to them by Mr Sharpe. The goods were purchased for Mr Lefevre, and sent off to Ostend. While this was negotiating I had put my name to several bills, and was told by Levy and Kinnear, that I should receive a profit of 30 per

cent. upon them: I was also to have half the goods bought in my name, and Levy and Kinnear both told me I should not be disappointed. Except those goods sent to Ostend, all the goods purchased in my name went to Meyer's warehouse: they were frequently sent in the evening, and gone in the morning. I used to see Lewis Levy and William Lee take them away. Maas came over from Paris in the month of May, and brought with him other bills from Lefevre, some of which were cashed. About the end of May, Mr Martelli came to me and said he had been under a very great mistake, for he had thought the bills were from Lefevre, the famous banker at Paris, but found it was a Lefevre not known at all. I told him that I did not know either of the Lefevres, but would inquire and let him know next day. I went then to Lewis Levy's, and saw him in company with Woolf, Kinnear, Meyer and Abraham Joseph. Before I saw them I had received a message from Haldimand, earnestly desiring that I should call on him the next day. This I told them, as also what Mr Martelli had said. They told me to go to him, and tell him that the whole story arose from jealousy; that I would not, and he ought not, to notice it; but I was not to give "too much answer." I went and did as I was directed. After this I found that an attachment was laid on the money in my bankers' hands: this was about the last of May. Mr Haldimand again sent for me, and told me that the bills were not worth any thing, and that there was no such person as the Lefevre mentioned. I again went and met the whole party, explained the matter to them, and said I was very much alarmed, and that I should go to a man of the law to consult. Maas said he would take me to one; and took me to Elias Isaacs, told him the

whole of the transactions, and asked him whether I should go before the Lord Mayor. He said, "Don't be in such a hurry; you don't know the laws of this country: call on me tomorrow, and I will see what can be done." I went accordingly the next day, and he told me to bail out the money. In this way he kept me for two or three days, until I was told that John Meyer had run away. It was at Levy's I was told this; Lewis Levy and Montague Levy were present. I heard nothing more then; but was exceedingly alarmed at Meyer's being off, and I again went to Elias Isaacs to consult what I should do; he told me that the first thing I had now to do was to take care of myself, and to get a passport as soon as possible. We went to the Prussian Consul's. Elias Isaacs said it would cost £.10, which I gave him. After this, Lewis Levy sent for me. I beg here to state, what I omitted before, that three days before Meyer ran away, I saw him in company with Levy, Kinnear, and Mosely Woolf; and they said, "Weiller, if you don't be a fool, we will give you as much as we gave Meyer, that is, £.1500, which will be a great deal of money in your country." I went to Levy pursuant to his request, and he said, "You are a great fool for not having been guided by me as Meyer was: he has now run away; but it is not yet too late, and you may go also if you please. I said I would not go, and he said if I did not I should feel the consequence. On the 6th of June I was arrested by Martelli for £.2200, and Levy also lodged a writ against me for a large sum: Mr Sharpe had also a detainer against me. When in the lock-up house I sent for Elias Isaacs, and he came to me in company with Lewis Levy. Mr Sharpe also came. I asked Isaacs how I could owe so much money to Levy?

Levy then desired me to go into another room. They had then some conversation, and I was discharged from the arrest of Sharpe and Martelli. What Levy did about his writ I don't know. It was between six and seven when I was discharged, and I went from thence to Isaacs's house, where I remained till two the next morning. In the interim I was told that there were some persons outside the door watching the house. Elias Isaacs sent out his brother James to contrive and have them taken into the watch-house. He went out and did so, and they were taken to the watch-house. About ten o'clock the same night Lewis Levy called on me and said, "If I did not leave the country he would hang me. Isaacs said, how can he go? he has got no passport. To which Levy replied, I suppose you can get one for him. To which Isaacs said, it would cost £.10, and Levy told him he would give that money if he wanted it. I am not certain whether he gave the money, but he promised it. At this time Isaacs had the passport he had before procured in his pocket. Maas gave 400 Napoleons to enable me to be off. I went that morning to Dover, and from thence to Calais. Mr Sharpe followed and overtook me and brought me to Ostend, saying, that as I had shipped the goods for Lefevre to that place, I should go there with him, and give some account of them. When we arrived at Ostend, Mr Sharpe left me at the hotel for some time, and went out on business. In his absence I found that Mosely Woolf, Montague Levy, James Isaacs, and Hyman Maas were there. I had a difficulty at first in getting into the room, they were playing at cards, and when they saw me, they appeared very much shocked. Mosely Woolf said, "For God's sake, from whence do you come, and why do

you come here?" I told them that I did not come by myself, but that Mr Sharpe was with me. When I mentioned that, he was in such confusion that he did not know what to do. They then every one took up his portmanteau, and prepared to be off as fast as they could, except Maas, who remained for a time behind. When they were going out of the room James Isaacs said to me, "For God's sake, save yourself or you are a dead man." Maas also said, "Do save yourself, you don't know what danger you are in." I went away and they went away also, but in two days I was overtaken and brought back; and on my return, I found all the parties arrested and in prison. The arrest had been caused by some irregularity in their passports, and by some supposed violation of the excise laws. Some arrangement then took place between them and Mr Sharpe, in consequence of which I was set at liberty. I proceeded thence to Aix-la-Chapelle, where I was pursued by Mr Martelli, who arrested and brought me back to England. In England I was made a bankrupt, and Levy and Garniss were my assignees. Levy always told me what to say the day before the examination. I did say in my examination what Levy told me. I was then a prisoner in the King's Bench. Levy told me at first that I should have £5 per week while in prison, and that if I did as he wished, I should get £3000 when I came out. I received the £5 per week till about a fortnight or three weeks before I passed my last examination. I am still a prisoner in the King's Bench, and have never got my certificate. On Friday last Lewis Levy came to me and said, "This business comes on very close; I always said, you behaved yourself like a man, and if you behave yourself well at the trial, I will take all your clothes out of

pawn. You are now in great distress; but you shall be supported while in prison; and after the trial, I shall use every means in my power to get you your certificate." He came to me on Sunday, and said the same thing; and I told him that he had already used me very badly, and he should not use me so any more. "You know," said I, "that you promised me £200 at the trial in January last." I was at that time subpoenaed as a witness, and Levy said he would give me £200 after the trial, if I said nothing against him. I did not appear at the trial. I would not trust him; therefore, as he had not kept his word. He said, he could not help it, as he only got £270 out of the sum recovered; the solicitors kept the rest, as they could not get any thing from Woolf or Kinnear.

Cross-examined by Mr Scarlett.—It was in consequence of his having deceived me before that I would not trust him on that occasion. I was not examined on the trial. Nobody else promised me any thing, nor do I expect that I shall get any thing for what I am now saying. The clothes I have on were in pawn at the time Levy came to see me. It was he gave me the money to redeem them. He gave me £3. I had not told him that I was to be examined as a witness. I was indicted, and if I came here, I was determined to tell the truth in what I should offer in my defence. I did not know whether he knew this. The offer of money on Levy's part was, that I should not speak against him. I did not know that I was not to be tried till Sunday last. I was told so by Mr Harmer. I was a wine and brandy merchant before I came to England; but brought no property of any kind with me; I had been a soldier in the French army for two years and a half. When I came to England I could not

speak English. What knowledge I now possess of it I acquired in the King's Bench Prison. When Mosely Woolf spoke to me about the letter from Perigaux, Lafitte, and Co., I did not speak to him in English; he spoke a little German: Lewis Levy speaks German, and Kinnear a little French. I was to have got £. 50 per cent. on the goods from Scotland and Manchester; I possessed no capital; the money was given by Levy. Count Nustich introduced him to Perigaux; he was also acquainted with Mari, the chief clerk of that establishment. He never heard till he received the bills from Maas of Lefevre the banker. The conversations which he had heard when he first came to England were in English; but what was particularly addressed to him was in German or French. He did not think it strange that persons with whom he was unacquainted should have been so kind to him; they seemed to have taken a great liking to him. He had said that he did not know Mosely Woolf: he was directed to say so on some occasions by Lewis Levy, but did not always say that he did not know Mosely Woolf. He once wrote to Paris to Maas, to say that he knew nothing of Mosely Woolf. Elias Isaacs always spoke to him in German; and when he addressed his brother James, it was the German he used.

Cross-examined by the Common Sergeant.—He had been an agent in Paris for selling wine and brandy; but brought no stock with him to England. He never met any person who gave him £. 1200 in such a way before, but had got credit before now. It was not till after the letter from Perigaux, Lafitte and Company that he got the £. 1200, which he gave to Minet and Stride.

Cross-examined by Mr Curwood.—

He had not had much acquaintance with Maas before. It was to him he had consigned the goods which he shipped to Ostend for Lefevre, but could not say whether he advised Lefevre of such consignment or not. There were bills of lading sent, but could not say whether any communication was made to Lefevre on the subject.

Re-examined by Mr Gurney.—Had not sent any bills of lading to any body else.

Mr Sharpe examined by Mr Campbell.—I am a merchant, and know Weiller; I was introduced to him by a broker, through the medium of Minet and Stride. He bought goods of me to a considerable amount, for great part of which he paid in cash. What he did not pay in cash he did not pay at all, as he never gave me any bills. He continued to deal with me from March till May. (Here Mr Sharpe's evidence went to corroborate those parts of Weiller's testimony which referred to his arrest and confinement in the lock-up house, his discharge from thence, and the affair of the two porters who were sent to watch him; he also confirmed him in the statement respecting his arrest at Brussels, and that of the five persons at Ostend.)

This witness underwent a long cross-examination by Mr Scarlett, for the purpose of showing that the negotiation was carried on without any active share on the part of Woolf; but he persisted in stating his conviction that all joined in the transaction, though Maas was the principal.

Cross-examined by Mr Denman.—I have subscribed money for the purpose of carrying on this prosecution. I never sent any paragraph to the *Observer* on the subject.

Mr Gurney.—You only read them after they were sent there.

Witness.—That's all,

Mr Scarlett. — Nothing can be more shameful than such conduct on the part of a newspaper, namely, publishing articles of gross abuse against one party while a cause is pending. Some papers have been full of such attacks; and I now state, that I intend to move for a criminal information against that paper. (The learned gentleman was understood to mean the *Observer*.)

The Lord Chief-Justice. — I conceive nothing can be more improper than such conduct.

Gaff, one of the porters sent to watch Weiller, confirmed his testimony as to his arrest before Isaacs's door.

John Schmidt had been a clerk to Meyer, and knew him seven or eight months before that time. Meyer had formerly kept a lodging-house, in East Smithfield, for Dutch Captains. On his first connexion with Meyer, the latter told him that he had got into partnership with a Mr White of Islington, and that they were to do business in a small way with Holland. Some goods were bought, to a considerable extent, and shipped to Salvador Sampson of Amsterdam. He did not see them shipped, but was told so. (Here Meyer's books were produced, and witness identified his own handwriting.) Meyer used to bring copies of letters which he said were written by his partner White. After he had copied them, Meyer used to take them away, or lock them up in his own desk. (A book was here produced to witness, containing a copy of one of those letters in his own handwriting, and also the original, which another witness, then called to the table, proved to be the handwriting of Kinnear.) Schmidt further proved the receipt of considerable quantities of goods at Meyer's warehouse. The goods were frequently taken by a

man named Alexander Lee. (Lee was here called, and was identified.)

Cross-examined. — I never saw Woolf or Kinnear at the office.

Re-examined by Mr Gurney. — The whole amount of the goods sent to Salvador Sampson was L.11,700.

William Denvoy, another clerk, proved copying several letters into the books as from Meyer, which letters were proved to be in the handwriting of Kinnear.

In his cross-examination he said he never saw either Woolf or Kinnear at the office.

William Leigh. — I am the brother-in-law of Lewis Levy: I went to India in 1817, with a cargo of goods, worth about L.8000: I was sent by my brother-in-law, Levy: the son of Montague Levy went with me. A few days before I sailed I saw Mosely Woolf Lewis Levy, and Kinnear together. While I was at Levy's, Lewis Levy went up stairs to Kinnear and Woolf. Meyer called in the interim, and said, "I want to see Lewis Levy." I desired him to wait, and that Lewis would be down very soon; he said "No, but do you go and tell Levy that I shall be late for the post." I went up stairs, knocked at the door, and saw Kinnear writing busily, Woolf and Levy being near him. I told them what Meyer had said; on which Kinnear gave the letter he had been writing to Woolf, and said, "There, let him take and copy this, and by the time it is done I shall have another ready." Woolf came down with the letter, and said, "Copy this, you will have time enough; don't forget the cambrics, and I shall be ready with the L.1000 for them." I am not certain whether he said muslins or cambrics, but I believe the latter. Meyer went away, and Woolf came running down, and said to Levy, "Go after Meyer, and tell him to send the cambrics to

the packer, and then do you send for them to my warehouse." Woolf's warehouse was in Salter's-court. •

Cross-examined by Mr Scarlett. —I am not included in this indictment, but I was in a former one that was dropped. My name at present is William Leigh, but it was once Benjamin Leigh, and I changed it because I married a Gentile. I was tried at the Old Bailey about seven or eight months before I went to India, on suspicion of felony. Mr Fry the clergyman naturalised me. I don't know whether I was christened or not, but I was taken to the Jewish chapel, and some water was thrown on me. I cannot swear on the Old Testament that I was never known by any other name than William and Benjamin. Some persons called me Woolf, which in Hebrew is the same with William. I never went by the name of Gabel, but I did go by the name of Thompson. There was no particular occasion for calling me by that name. Before I was tried I went by the name of Thompson; but since my trial I have been called William Leigh, the name under which I was then indicted. I never was tried except on that occasion; but I was in custody another time on a charge of conspiracy. I was some time in the Fleet-Prison, having been arrested by Levy for debt. I never was charged with stealing whilst in the Fleet. Kinnear came to me one night, offered me L.200, and promised to procure my discharge. The age of Montague Le Voy, when he went with me to India, was about 16 or 17. •

Alexander Leigh examined.—I am brother-in law to Lewis Levy. I was in his service, I believe, in the year 1817. About three months after my brother went into partnership with Reeves, I went to him and was employed in carrying goods. Woolf told me to be careful, and al-

ways to take the marks off, and cover them with a wrapper, so that nobody might see what they were. I did not often see Woolf at Meyer's, but I frequently saw him at Levy's. I have seen Kinnear several times at Levy's, and have observed him take down the marks of packages in Levy's warehouse. Those goods the marks of which were noted were afterwards taken to Woolf.

• Cross-examined. — Lewis Levy bought and sold all sorts of Manchester goods. I have carried goods from Meyer's warehouse to Woolf's, which is in St Mary-axe. I suppose Woolf bought great quantities of goods from Levy, and dealt largely with him, as I often carried goods to Woolf.

• Re-examined.—I took in eleven packages that came for Meyer. Lewis Levy told me to go down to Meyer's warehouse, as he expected eleven packages in. I went accordingly, and waited till they came, but the carman objected to leave them without receiving his money. I then went to Woolf's, in Salters'-hall, and found Levy, Woolf, Abraham Joseph, and Isaacs, the attorney, and told them, that the carman would not leave the goods without his money. Woolf and Levy then came out and gave me four or five pounds, which I went and paid to the carman. All the goods were then delivered, and I went to Woolf's counting-house in Salters'-hall, and said they were delivered. Woolf heard me say so; and desired me, for God's sake, to get a cart, and carry them away to Levy's warehouse as soon as possible. I did so, and they lay a fortnight in Levy's house; and he told me to take the flames out, and Woolf would send for them. The marks were taken out, and the goods carried away by Woolf.

• Cross-examined.—I heard nothing of the commission of bankruptcy a-

gainst Meyer at that time; I only heard that he had run away.

Thomas Roberts was clerk at Miller's Wharf in June 1817. There were eleven packages there for Meyer, for which a person calling himself Leigh applied, and wished them to be sent to Sherborn-lane by five o'clock that evening. On Leigh's stating that they were wanted for shipping next morning, he sent them that evening. He did not then know that Meyer had gone away.

James Lardner a carman, on the 4th of June 1817 carried some packages from Lime-street to Sherborn-lane. Before that time he had brought several loads from Lime-street to Sherborn-lane, and on these occasions was always desired to keep the marks inwards, in order to conceal them.

William Emery examined.—Was a junior clerk to Mr Kinnear, from 1815 till June 1817. Kinnear had a counting house in St Martin's lane, Cannon-street. There was another room in Sweeting's-lane, but witness is not sure whether it was Kinnear's or Keyse's. Woolf and Kinnear had dealings together, and he had frequently seen them together. A Lewis Levy came sometimes to Kinnear's, but they were not on terms of friendship. Witness had several times carried letters to Levy's, (they seemed to be packages containing three or four letters each,) generally in the evening. Woolf and Kinnear had frequent dealings together, but witness does not know whether to a large amount.

John McKnight was shopman to Mr Cook, linen-draper, in 1816 and 1817. Mr Cook often made large purchases from Mr Woolf, and the goods were bought, he supposed, at twenty or twenty-five per cent. below the market price. During the time the witness was with Mr Cook,

he supposed the transactions amounted to from L.30,000 to L.40,000. Witness remembers some navy blue prints that were purchased of Woolf, and printed by John Cutliff. He recollects these goods lying in the open warehouse when Woolf called, and observing them, said, "Cook, if you don't remove these goods, as well as others that are lying by, into the back warehouse, I'll never send you another piece." They were removed accordingly.

*Cross-examined.—Goods were not very difficult to be had at that time, nor were they very plentiful. Cook bought them for ready money. Witness does not know that the concealment of the marks is always attended to.

Thomas Broadbend, a partner with Mr Cutliff, sold printed goods to Reeves and Leigh in 1817, and likewise to Meyer, and was ultimately a creditor of Reeves and Leigh's to the amount of L.700 or L.800, and of Meyer's to the amount of L.800.

—Jefferson is a partner in the house of Wooler and Jefferson, Manchester warehousemen, in Watling-street. They first became acquainted with John Meyer in 1816. He came to their house casually, and without any introduction. He stated, that he had been formerly in the Dutch East India trade, and that he was then in want of some goods to ship for Holland. He gave them a reference to Messrs De Cock and Vanderstein, in Whitegate-street, Bishopsgate-street. He said, he would pay half the price of the goods in money and the residue in acceptance. Witness called on the gentlemen to whom Meyer had given a reference, and saw one of them, who said, they had the best opinion of Meyer's integrity, but could not speak as to his property. On the following day Meyer selected the

goods, to the amount of £575, of which he paid £300 in cash, and his acceptance for the remainder. In about a month he took up his acceptance; and he continued to deal with them, paying them in general on the same terms. He never gave them any account of his fortune; but assigned as a reason for going into business again, that he had a large family, and was married a second time to a young wife. Several persons were referred to them for a character of Meyer, and to all of these they opened their ledger, and showed the state of their account with him. When he failed, they were creditors to the amount of £3,600.

Cross-examined.—Witness never sent any account to the *Observer*, and knows nothing at all about that business.

Robert Gunson, a merchant, gave Meyer credit for goods to the amount of £386 in May 1817, but never received any thing for them. Meyer gave witness a reference to Wooler and Jefferson.

Christopher Robinson of the firm of Robinson, Holmes, and Kendra, warehousemen, sold Meyer goods at several times. When he went off, he owed them £301 : 5 : 6. When he first called he referred witness's partner to Wooler and Jefferson.

Samuel Jacobs knows Lewis Levy. He borrowed money of witness on his father's bills, and on those of Mosely Woolf. On the 2d June 1817, Levy brought witness an acceptance for £1,000, which he sent to his bankers to be discounted. They did discount it, and next day witness gave Levy a check for £1,000.

Cross-examined.—He was included in this indictment for cashing that bill of £1,000.

Several bankers' clerks were then

examined, in order to trace the various notes mentioned in the early part of the evidence; and by a reference to their masters' books, they identified the respective numbers, dates, and amounts of these notes.

Wednesday, April 21.

THE KING AGAINST JOHN MEYER AND OTHERS.

This morning at half-past nine o'clock, the Court resumed its sitting in this case.

A letter was put in and read, dated January 24. 1817, from Messrs Perigaux, Lafitte, and Company, of Paris, to Messrs Minet and Stride, being the letter in which the former recommended Weiller to the notice of the latter. Also the following letter, dated London, 4th May 1817, from Lewis Levy, to his brother in India:—

"Dear Brother.—This will be handed you by our nephew, Joseph Montague, who has a packet, containing bills of lading and invoices of sundry goods on board the ship *Lord Wellington*, which I hope you will *gouse* all your *abbelities* in making sales of them, as well as those of the *Layton*, *Kingston*, and *Sapho*. Wm. Leigh has also bills of ladings and invoices of sundry goods, on board the same ship, at his *hone* disposal, which you will not take aney notice of, only to know at whatt prices he sells those goods; for this I believe *wose* explained to you when in England; at the same time I must inform you it is of now consequence *weather* you do or do not know aney of his transactions; he has behaved ill to me already; *therefore* the less you have to do with him the better, AS YOU KNOW THE CHARACTER OF THE FELLOW. Do not lend anney money,

nor make him *aney* advances, not for a moment ; in fact, the less you have to do with him, the better ; do not let him over look you in your business, though at the same time you know what he is ; he will say, and swear any thing ; therefore lett Mr Parry bee acquainted with this, as he well knows what our Old Friend *A. J.* says, which is, when you have a bad man to do with, give him *goods* words and behave kind to him, but I will not lett him know what is doing ; you and Mr Parry must do, as you should think most prudent in a strange country ; this I must inform you for your Government that he is a rogish Foll. Do not lett Mr Leigh know to whom you sell your goods to, nor how you gett your Bills in London. I hope before this you have sold best part of your goods in Layton and Kington, or I now say as I before said, *Delays are Dangerous* ; other Ships may arrive out, and prevent you from selling your Goods ; therefore Do not stand for large profits ; Do not leave *India* before you gett a Letter to that Effect from me, as I expect to follow Nother Invistment immediately after this ; by whatt Ship I cannot say ; when you send aney money to England, *send one half the amount to Samuel Jacobs Burry Street St Mary Axe, only this Direction, and the other half to Mr Barnett next to Coach and Horses Hammer-smith*, the Bills to bee Infavour of Henry Levett ; you may also Draw Bills for goods you may purchase, for Henry Levett Parsonage house Abchurch-yard. Lett me again impress hon your mind not to loose one Moment in Making sales of Goods and Remett the proceeds in Cash-Bills, not to part with the Cash for Goods unless you can by paying 2 or 3000 pounds Cash obtain *L. 10,000 goods*, but not for less ; and at the same time if you can gett a Ship go-

ing to Holland at Hamburgh it would be Desirable at all events do not part with more than 3000 pounds for the purchase of Goods, I now conclude as I believe I have said all hon every subject ; wishing this may find you in good health as all the family *thanks bee to god* are the same, except Isaacs : he is much the same as when you left *wee all*. I am in love to you, wishing you every *sucksess* and a speedy return to England. Give my Best Respects to Mr Parry wishing him his health and good *sucksess* ; also his *Old Friends in Salters all Court* Desires their Best respects to him.

"Remain your *Affectioned Brother*.
LEWIS LEVY."

"Sunday, May 4. 1817."

The counsel for the prosecution then put in an account, in the handwriting of Meyer, of the bills due by him in May, June, and July, to the amount of *L. 9550 : 19 : 2*, without Weiller, Levy, Reeves, John Levett, and William Lee ; and an account of Meyer with his bankers, by which it appeared, that on the 19th May 1817, they had received upwards of *L. 23,000*, and that there was then a balance in their hands of *L. 25 : 8 : 11*. The learned counsel then put in a letter from Meyer to Messrs Dale and Co., of Manchester, in which the writer desired them to pack certain goods in a particular way, and to send invoices of them.

Mr Ballantyne, a partner in the house of Finlay, Ballantyne, and Co., No. 8, New Broad-street, London, was then called. He deposed, that his firm was connected with several houses in Glasgow. On the 24th of February 1817, they received a letter from Glasgow, directing them to inquire after the character of Meyer ; and on the same day they received a letter from Meyer, stating, that he had employed an agent in Scotland to purchase goods, and that the par-

ties wished to make inquiries of them. He therefore referred them to Messrs Wooler and Jefferson, and Reeves and Levy, who, he said, could speak of his property and respectability. Meyer then called and deposited a check for £1,000 on Bond and Co., which was paid, and witness gave him a letter of credit to that amount for Thomas Keyse, at Glasgow.

This closed the case for the prosecution.

Mr Scarlett rose and addressed the Court on the part of Mosely Woolf. He urged that Wooler and Jefferson had borne a more conspicuous part in this transaction than his client. They had not only given a character of Meyer, but had also given him credit. If Woolf were to be implicated in this case, the most innocent action of a man's life might be brought against him as evidence to charge him with a conspiracy. He stated this, that the jury might discard from their minds all prejudices which they might have formed. It was the nature of the human mind to receive and cherish first impressions. There were three separate charges to which their attention was to be directed. First, that Meyer had been fraudulently set up to obtain large supplies of goods, and that certain persons, among whom Woolf was one, had entered into a conspiracy for that purpose. The second was of a similar nature, respecting Reeves and Lee. The third charge was of the same nature, respecting Weiller. He was counsel for Woolf only. It appeared from the evidence, that Meyer was formerly in a very humble station of life, and it was not proved that Woolf had then any knowledge of him. Woolf did not give him a character when he took the counting-house in Howford-buildings. The £500 paid to the bankers in December 1816 did not come from Woolf.

The two clerks of Meyer both said, that they never saw Woolf at his counting-house in their life. Weiller swore that he saw Meyer and Woolf together. But who was Weiller?—a man who had come to this country with ten francs, and who expected to get 30 per cent. by putting his name to bills. It appeared that he went abroad, and was brought back a prisoner to this country, and was charged as a conspirator with the rest. He represented that because Lewis Levy broke a promise of giving him £200 he would not trust his word; if Levy had given him that £200, the jury would not have heard his testimony in this cause. A *nolle prosequi* had been entered with respect to him by the prosecutor; and here he (the learned counsel) must observe that the prosecutors had no evidence in this case except by entering a *nolle prosequi* against three of the defendants. Why did not the prosecutors rely on the evidence given before the grand jury? Weiller in his evidence had always used the word *they*, in order to include all the defendants. He had procured a letter from Perigaux and Lafitte, and his evidence was that he saw Mosely Woolf at Meyer's. But the two clerks of Meyer had sworn, that they had never seen Woolf at the counting-house. Again, it was not proved that Woolf had set up Meyer in business, or supplied him with money to carry it on. It was next stated, that Reeves and Lee were set up by Woolf; but Woolf never had any connexion with him, except in the way of trade. It had been stated, that Weiller came to this country with ten francs only; but he had sworn before the commissioners, that he came here with 26,000 francs. He (the learned counsel) had endeavoured to show that there were circumstances to connect Woolf with

Meyer criminally. The charge was not that Woolf bought goods of Meyer or Lewis Levy, but that he was a conspirator to induce them to buy goods to defraud all the world. But the jury were not to try this case upon suspicion; they were to try it upon pure and unadulterated evidence. Some newspapers had endeavoured to prejudice the public mind in this case; but he trusted that the jury would not suffer any observations that had appeared in them to prejudice their minds. The learned counsel then read extracts from the *Observer* of the 22d of November 1817, stating that a bill had been found against the defendants, and containing several comments; and also an extract from the *Weekly Dispatch*, of which he said Mr Harmer, the attorney for the prosecution, was a proprietor. The learned counsel concluded a speech of considerable length and energy, by observing, that Woolf had bought goods of Lewis Levy to a large amount; that Woolf had been a person of unsuspected honour and integrity for many years; and that his dealings had been so extensive that he had turned over £100,000 a-year.

Mr Common Sergeant, on behalf of Lewis Levy and Montague Le Voy, and Mr Denman on behalf of Kinnear, submitted that all evidence should be heard before they addressed the Court for their clients.

Mr Gurney opposed this.

The Lord Chief-Justice said, the uniform practice was, that the counsel should address the Court.

Mr Scarlett then said, that he should decline calling any evidence. He should trust the case of his client to the observations he had made, and leave the jury to form their opinion on the credibility of the evidence which had been adduced against him.

Mr Common Sergeant then rose, and addressed the Court on behalf of

his clients. It surprised him very much that sixteen persons were included in the indictment, and that on the trial the jury were to inquire only concerning four of them. The prosecutors must have been grossly misled when they brought the case before the grand jury, if they now found it advisable to submit only four cases to the judgment of this court.

The Lord Chief-Justice said, that this was not the fact. These observations were beside the case; for it appeared that two of the defendants had absconded, and the others had not pleaded.

Mr Common Sergeant continued. He said that the jury must find his clients guilty, not upon the charge in the record, but upon the evidence. He contended that Levy had not set up Meyer in business, and that he had no dealings with him till he understood him to be a man of respectability. He then endeavoured to impeach the evidence of Weiller and of William Lee. With respect to the case of Montague Le Voy, he insisted that his character had not been impeached by the evidence for the prosecution, and that there was nothing to prove that he was guilty of the conspiracy with which he was charged.

Mr Denman said, that he should be very short in the remarks which he had to make in defence of his client, Mr Kinnear. The reasons which had urged him to form this resolution were partly the satiety and disgust which every one of the jury must have felt in hearing certain names perpetually repeated, and partly the personal inconvenience which he must experience, if he indulged in any observations that were foreign to the purpose. He must therefore commence by calling the attention of the jury, not so much to what his learned friend, Mr Gurney, had proved, as to what he had absolutely fail-

ed to prove; and if, upon a careful investigation of all the circumstances, they made Mr Kinnear depart from the Court under a sentence of conviction, he should depart from it under an impression that the life and honour of no Englishman were secure from the attack which might be made upon them. He complained of the manner in which this indictment had been conducted. A year and a half had elapsed since it had been first instituted, and in that interval every effort had been employed to obtain evidence to support it. Not merely had the witnesses, Messrs Harmer, Reeves, Wooler, &c., whose names were on the back of the bill found by the grand jury, been summoned to attend the trial, but also forty other individuals, among whom were three persons charged with being accomplices in the pretended conspiracy. He lamented also that his learned friend had introduced into the cause his own suspicions, whenever he had been unable to produce facts. He (Mr Gurney) had told them that he suspected Mr Kinnear of being at the bottom of the whole transaction; but why should he mention his suspicions if he was unable to prove them? He maintained that no communication between Meyer and his client had been proved until Meyer's credit had become established in the city. If there was any part of the evidence which pressed against his client, it was the evidence of Leigh and Weiller. But who were these individuals? Weiller was a German Jew, a disbanded French soldier, a bankrupt in his own country, and, as they might have seen, from the extreme effrontery with which he had given his evidence, one of the fittest men that could be selected to carry on a system of fraud and villainy. He had owned that he had committed the blackest perjury, when he had been

brought before the commissioners who were appointed in his bankruptcy; and by the remarks which he had offered to the Court regarding Levy, had exhibited himself to them in the light of a wholesale negotiator in fraud and perjury. The other witness was William Leigh, a man who had been tried for burglary at the Old Bailey; but his testimony was unsupported, and therefore scarcely deserved a comment. He had said, that Kinnear had come to him in prison, and had offered him £200 if he would behave well on the trial. This would have been a most material point, had it been proved; but though the fact was easy of proof, it had not even been shown that Kinnear had ever entered the prison on the day in question. As, then, there was no evidence to show that any of the bills had ever been in Kinnear's hands; as there was no proof of any of the goods purchased having ever come into his possession; as there were no outward signs of any participation on his part in any of the negotiations as the witnesses who had been produced were most infamous in character, and had not even been confirmed in those points where confirmation was most easy, he left the character and fate of his client in their hands, under a perfect conviction that they would come unimpeached and unimpaired out of the trial to which they were then subjected.

The Lord Chief-Justice, in summing up the evidence, which occupied him for more than two hours and a half, observed that this was an indictment against the four defendants, charging them, along with several others, with the commission of as foul a fraud as had ever been devised by the imagination of man. It was an indictment for a conspiracy; Now, a conspiracy was nothing more

nor less than a concert of two or more persons acting together for the accomplishment of an illegal purpose. Several other persons, besides the four who were now on their trial, had been originally included in the indictment, of whom two, against whom proceedings had been discontinued, had been examined as witnesses, and three had been that day declared not guilty by their verdict. Some observations had been made on the impropriety of including so many persons in one indictment, and also upon the impropriety of withdrawing them after they had once been included. Whether there were good reasons either for including or withdrawing them was not the point on which the jury had to decide; it was their business to inquire whether all the four defendants, or which of them, were guilty of the charges laid against them in the indictment. In considering that question, they must dismiss from their minds all that they had heard or read on the subject, except on the present occasion. It was to be lamented that the daily papers were so often filled with the committal of persons for diverse offences, accompanied as those committals generally were, with a detail of facts, which were afterwards to be proved in evidence; it was to be lamented, because it excited an inflammation in the public mind, which was as difficult to alleviate as it was easy to create. The statements which had been placed before the public in this manner ought never to enter into their consideration; all such stories—nay, every thing which was not fact, and yet had been asserted by the advocate of one or other party, ought to be totally expunged from their memories. They had to decide upon facts according to their understanding and according to their conscience; and

if they did so, no fault could possibly be found with their decision. The charge in the indictment was of a threefold nature; it stated that the defendants had combined to set up Meyer, Weiller, and two other persons, Reeves, and Leigh, who were mere beggars, as merchants of credit and opulence; that they had placed funds in their hands, in order to enable them to pay ready money in the first instance, to induce various subjects of his Majesty to give them credit; and that they intended to convert the goods so obtained to unfair ends, and to deceive those who had intrusted them to their care. The first part of the indictment referred generally to the four defendants: the second part confined the charge to their setting up of Meyer; the third to the setting up of Weiller; and the fourth to the setting up of Reeves and Leigh. They would therefore have to consider, whether it was made out that they had set up these men to the ultimate delusion of those with whom they had mercantile dealings. That Meyer, that Weiller, that Reeves, and Leigh had, without any property, found means to act as men of opulence, and to obtain extensive credit, was a fact, of which, unfortunately, there could not be the slightest doubt. Meyer, after transacting business for eight months, failed for L.25,000. Reeves, who was not in business so long, for L.18,000, but left L.1,000, wherewith to make a dividend to his creditors. Weiller also failed; but for what sum could not be ascertained, because Levy was his assignee, and alone could tell the amount. The trial had lasted long; and they had heard eloquent addresses from each of the defendants' counsel, in behalf of their respective clients; in such a case, justice would be best discharged by a detail of the evidence on which

those speeches had been comments. The Lord Chief-Justice then stated, that the evidence distinctly proved, that Meyer, Weiller, and Reeves, had emerged from poverty into sudden and unexpected opulence, and that a check of L.500, paid by Meyer into the hands of Bond and Co. had come from Lewis Levy; that the L.1000, with which Reeves and Leigh had commenced business, and also the money which Weiller had invested in the hands of Minet and Stride, had come partly from the same quarter, and partly from Mosely Woolf: and he left it to the Jury to decide how far this showed the connexion of the parties. He also went through the remainder of the evidence, showing how it bore upon John Kinnear and Montague Le Voy; and after making some further comments upon it, concluded by repeating that they should consider whether all of the individuals were or were not guilty; and if they thought any were innocent, to declare which of the defendants was entitled to a verdict of acquittal.

The jury then retired, and after being absent from the jury box 55 minutes, returned with a verdict of *Acquittal* in favour of Montague Le Voy, and of *Guilty* against John Kinnear, Lewis Levy, and Mosely Woolf.

A number of affidavits were filed on both sides, which, however, appeared to be of the most contradictory tenor.

Mr Scarlett then addressed the Court on behalf of Woolf, in mitigation of punishment. He was followed by Mr Common Serjeant and Mr Denman on the part of Levy and Kinnear.

Mr Gurney addressed their Lordships in aggravation.

Mr Justice Bayley pronounced the sentence of the Court. It was, that John Kinnear should be imprisoned in the gaol of Ilchester for two years; that Lewis Levy should be imprisoned in the gaol of Gloucester for two years, and pay a fine to the Crown of L. 5000; that Mosely Woolf should be imprisoned in the House of Correction in Coldbath-fields, for two years, and pay a fine to the Crown of L.10,000; and that Levy and Woolf should be farther imprisoned till those fines were paid. His Lordship said, it had been stated that Levy was a bankrupt; but it appeared on the trial, that he had sent large quantities of goods to India, which he had obtained by means of this conspiracy, and therefore the Court considered, that from the sale of those goods he might obtain remittances to pay this fine.

THE KING v. MEYER AND OTHERS.

*Court of King's Bench, Friday,
May 14.*

The defendants, Mosely Woolf, Lewis Levy, and John Kinnear, were brought up to receive the sentence of the Court for the conspiracy of which they had been convicted.

FARM SERVANTS' WAGES.

*(Court of Session, First Division,
July 7.)*

MACGLASHAN v. THE DUKE OF ATHOLL.

Macglashan engaged himself as farm-servant to a Mr Moon, tenant of the Duke of Atholl, for one year

from Martinmas 1817 to Martinmas 1818. In August 1818 the tenant's crop and stock were sequestrated for rent due to the landlord. The servant applied to the Sheriff of Perth to order the Duke to pay his year's wages (L.10) out of the proceeds. The substitute preferred the servant, but the depute held the landlord's hypothec to be the preferable right. The servant appealed to the Circuit Court of Justiciary. Lord Gillies, the presiding judge, was of opinion, that the servant ought to be preferred; but as the practice on this point seemed to vary in different counties, his Lordship certified the case to the First Division of the Court. It was there heard fully; and the Court decided unanimously and solemnly, *that farm-servants are to be preferred as creditors for their current wages to the landlord, whose right of hypothec must now yield, through the whole of Scotland*, to this equitable and preferable claim. Lord Hermand said, *the crop was created by the labour of the servants*, and that it was the interest of landlords themselves that the wages of such labour should be preferable. Lord Balmuto concurred. Lord Succoth remarked, that the rent is produced by the crop, and the crop by the labour of the servants. And Lord Balgray and the Lord President, on more than one principle, were of opinion, that the decision of the Sheriff should be reversed, and the appeal sustained. The Court awarded expences to the servant.

Cornwall Assizes, Bodmin, Wednesday, August 11.

THE KING v. SWANN.

* This was an information filed by the Attorney-General, at the instance

of the House of Commons, against the defendant. The first count stated, that Penryn was an ancient borough, which, before and since the Union, had been used to send Members to Parliament; and that the defendant, well knowing this, had given a sum of money, to wit, the sum of L.5, to Henry Coates, in order to obtain his vote at the last election for Penryn. Several other counts stated similar practices with respect to other voters. Issue was joined on all the counts.

Mr Sergeant Pell stated, that at the last election for Penryn there were three candidates—Sir Christopher Hawkins, the defendant Henry Swann, and John L. Anderdon. The election took place on the 19th of June 1818. The right of suffrage is in persons paying scot and lot, and in freeholders; the voters altogether amounting to about 300. The defendant had been returned in the two preceding Parliaments. It would be seen, however, that at the last election corruption was so rife at Penryn, that whatever may have been the purity of the two former returns, no one could hesitate to assent to the resolution of the House of Commons, which declared him to have been unduly seated by the last. Previous to it, and at it, it would be found that money was offered by Mr Swann and his agent, and accepted for votes; the price of which would be found to increase in proportion as the election became a more nicely balanced question, from the opposition of the third candidate, Anderdon. Such was the proof of this, that no less than ten persons would be perjured unless the case on the part of the Crown were true. The learned Sergeant said, he had been of counsel for Mr Swann before the Committee, but that he knew nothing of the case save what appeared on the minutes of the pro-

ceedings. He could not conceive what would be the defence; but he should content himself with the proof of five or six flagrant instances of corruption, and should then leave it to the defendant to struggle as he could out of this net of corruption in which he had entangled himself.

The first witness called was Mr. Ataven, who produced copies of the return of two members to Parliament for Penryn in 1553; and similar returns in 1679, 1769, 1784, 1801, and at the last election; this being the usual mode of proving a borough an ancient one, and that it has been used to send members to Parliament.

Pendar, poll-clerk at the last election at Penryn, proved the poll-book, and that H. Swann and J. L. Anderdon were the candidates.

Thomas Rosmon.—I live at Penryn, and know Henry Swann, a candidate at the last election on the 19th and 20th of June. He came to my house on Saturday evening, the 13th of June. He asked me if I had yet given my voice. I said, I had not. He said, I always expected that you would be my friend. I said, I have not yet determined whether I shall or not. He said, if you will vote for me I will procure for you a present situation, so that you shall not want, and I will likewise do for you and your children after this; and if you want a friend at the present time, there shall be one found for you: he put his hand in his pocket, and, turning to me, said, if you had not been present I would have left something now, but I will call on Monday morning and leave something for your wife. Mr Swann then went away. On Monday I went out; and when I returned from my labour my wife gave me five L.1 notes. I saw Mr Swann again on Tuesday evening: he asked me if I had yet made up my mind to vote for him,—if I had not given him either of my

voices? I answered him yes, I had. He asked me if I had given one to Mr Anderdon. I said, yes. He said, you will do well to give me the other, as we are the two fighting parties. He then asked me if I had received parish pay. I said, no. He said, tell me all the facts; that I may protect your vote. No one can cut you off unless I do. He said, I hope you will make yourself comfortable with what I left for you yesterday morning. I did not vote; my voices were tendered for Sir C. Hawkins and Mr Anderdon, but rejected.

Cross-examined by Mr Swann.—I recollect the day to be the 13th of June, by reference to the commencement of the election. I believe that the notes were country bank-notes. You were yourself the person who cut my vote off. I gave evidence in the Committee against you, because you cut me off in that ridiculous manner.

Edward Rosmon, son of Ann Rosmon, and son-in-law of Thomas Rosmon.—I was at home on Monday the 15th of June. I slept in one of two beds that were in the room. My mother was in the other bed. Mr Swann came and asked if her husband was at home. My mother said he was gone to work. He said, "They are watching me." He took papers out of his pocket, some of which he threw down on my mother's bed, and said "Take them up; don't be afraid." As soon as he had left the room, the witness took up the notes and counted them. They were five L.1 country bank-notes. I gave them to my mother.

Cross-examined.—The notes were thrown on the upper part of the bed. They were nearer my mother than me, but I sprung out and took them before her. I am a writer in Mr Baker's office. I thought you meant the other party were watching for.

Henry Carter.—I was a voter at

the last election for Penryn, and voted for Mr Swann and Mr Anderdon. I remember seeing Swann on Monday the 8th of June. He was standing at the door of my neighbour Nichol's house. He asked me if I had made up my mind? I said no. I saw him again on the Thursday, when I said I could not make up my mind. Swann kept pushing me, and saying, "Damn it, it is as well to make up your mind at once; it is as well to do it now." I kept resisting; he said, "I suppose you want money, as well as the rest." He took out a roll of notes: there were some persons looking out at a window: he said it was a poor place to pay money in: he would give L.5 to my wife, and would give me L.5 more after the election, and that Sir C. Hawkins would give me L.10 more, which would make L.20. When I came back my wife gave me a L.5 note.

On his cross-examination by Mr Swann, he said, I know the day you had this conversation with me was the 8th of June, because I had received, on the previous Saturday, my six weeks' wages as a miner. I don't know that Sir Christopher Hawkins and you are on separate interests, but I know that you promised me L.10 for him.

Ann Carter, wife to last witness.—I know Mr Swann: I saw him with my husband about half-past five on the Monday morning: after they parted Mr Swann came in to me. He said he and my husband had been talking together; he then took out a handful of notes, slipped down one, and said, he should see me again in the course of a week, and would give me something more. Thursday evening he came again, and asked if my husband was at home, and whether he had given his other vote; he then went to his pocket, gave me a L.5 note, and told me it

would get me a Sunday's dinner for the family. He then desired me to ask my husband to give him his other voice.

Cross-examined.—When I met you with Mr Dyson, I did not make any representation of our poverty: I knew better than that; it was electioneering time, and one is not to ask for things at such a time as that. Your call on me with Mr Earle was after the election. You asked me, whether I was the good lady you had given the L.5 note to. I said, "You know, Mr Swann, you did:" you said, "I don't know, I may have forgotten it." "You are very welcome, Mr Swann, to get any body to remember more of that conversation; you would not have so many enemies as you have, if you had not been so much not to your word: you were not a gentleman to your word in many particulars: it won't do to go too far, you know, Mr Swann; but I know that you were not to your word, and I don't think I need go on any farther; and I won't, that's more."

Elizabeth Nicholas.—I remember Mr Swann in Helstone-road on Monday, the 8th of June. He asked me where Carter lived; I showed him: I afterwards saw Carter come out, and Mr Swann speak to him.

Mr Uryne deposed to having seen Swann and Carter together just under his chamber-window.

John Bray.—I voted for Mr Anderdon and Sir C. Hawkins: I saw Swann on Tuesday morning at the election; he said to me, "I don't want you, I want your wife." She was down stairs, I went up stairs, and left Swann with her. He had asked me the night before for my vote and interest. I told him I had given both voices away to Sir C. Hawkins and to Mr Anderdon. He said, I could withdraw if I chose it. I said, I could not; I did not like to be a

turncoat. He said, "D— you, why not you as well as another? There are fifty turncoats; even the Town-clerk." My wife came up stairs: she had in her hand what he had given her. It was five L.1 notes.

Ann Bray, (wife of last witness.

—I remember Swann coming to my house on the above-mentioned day: he took out a book, and told me what rates I owed; there was a discourse about them: he said he would be a friend to me, if I would keep a still tongue. He turned his back on me, and threw towards me a L.1 note. He asked me, if my husband had given his voice. I said, he had given both. He asked me to entreat my husband for his vote. I said, I was not his keeper. He said, my husband might withdraw. He took out a bundle of notes, and said he could satisfy me if my husband was not there. My husband then went up stairs. He took out the five L.1 notes, and offered them to me. I would not take them, because my husband wanted L.20. I then went up stairs, told my husband of it, came down, and refused them again. Mr Swann then put one of the notes in the collar of my bed-gown: he then said, "D— the woman, why are you such a fool to yourself? why don't you take them?" Then he put the other L.4 in my hand, and he said he would give me L.15 afterwards were my husband to vote for him and Sir Christopher, but only L.10 if he voted for Anderdon and him. Mr Swann said, "I depend on you, to overcome your husband: every wife can overcome her husband: mine does me."

Jenkins.—I gave Mr Swann a note of hand for L.20. I gave it him for having paid L.20 to one Wm. Glazon for me. The note was here put in and proved: it was as follows:

"4th day of March 1814.—I pro-

mise to pay Henry Swann, L.20, value received. (Signed) "JENKINS."

A memorandum written on it, dated 10th April 1814, stated this to be a note drawn by Jenkins on Swann, in favour of Glazon, and accepted by Swann, who afterwards paid it. This memorandum was signed by Swann. I never heard of the note again till the election. Mr Swann came up to me and said, "I want you to tell me your mind, I will tell you mine." I asked him what he would give? He said he would give me up the note of hand, L.1 towards paying the poor rate, and a handsome present, besides L.3 or L.4 in the winter time, if business should fall slack, if I would give him my vote at the election. I told him I would have it before the voting day. I saw him the same evening; he told me then to come the next morning, and I should have it. I saw him next morning; we went into a little street, called Back-lane; he took out a small piece of paper, and asked me if it was not my signing, and he then tore it in two, and gave me the part which had my signature to it. I took it to a friend; thinking it not the right paper; in consequence of what my friend said, I went to Swann next morning, and said you have not treated me quite right. I told him I did not think he had used me well; he said "Go to hell and be d-d." I saw him two or three days afterwards; he then said he did not care though I voted against him. I said if he would return me the note of hand, I would vote for him. He said nothing at that time, but afterwards, on the 18th of June, I got the note of hand; Mr John Goodeve gave it me. Mr Goodeve did not give me the note the first time he saw me, which was in my own house. His orders from Mr Swann were to show me the note, but not to give it me. I saw him at his own house the same evening; he took out

the note, and gave it me. I then asked for the L.1 note and the handsome present. He said he knew nothing of the handsome present, but he would give me the L.1 note. Afterwards I saw Swann, who asked me if I was contented then : I said not. This is the piece of the L.20 bill which I had drawn on Mr Swann, in favour of Glazon, and which he gave me falsely, pretending it to be the note of hand I had given him, and which was still in force.

Cross-examined.—I had voted for you, you know, Mr Swann; and so you ordered Glazon to be paid out of your generosity you know. I had always paid what I owed the man. I did not want you to pay my debts : you know that I dealt with Mr Glazon, because you knew all about the poor people at that time ; but I gave no order to Mr John about the money : he was ordered to pay for it, but I could have paid for it myself, if that had been all. I never followed you about for the promissory note ; nay, never asked you about it. My son was present when you had this conversation with me. I came by the other pieces of paper in this way : Tom Will's wife saw you tear it up. She picked up the pieces : her husband pasted them on brown paper, and gave them to me. When you said, " I don't care if you vote against me," you added, " I will put the note of hand in force against you." I took the note to my own house. Mr Anderdon's friend came to me, and asked for the note. I said, yes, if they would give me the money I would let them have the note, and that they should have it again when the note should be returned to me.

Peter Jenkins, the younger, corroborated the above.

Here the case closed on the part of the prosecution.

Mr Swann, who was his own counsel on the occasion, then made a long address to the Court, which, as it was for the most part entirely irrelevant, we forbear from noticing at length, more particularly as he confessed in it the facts relative to Jenkins, which formed the only count in the information on which he was convicted. He complained of being deprived of the assistance of Mr Sergeant Pell, his legal adviser before the Committee. He went through a long history of his connexions with the borough of Penryn, to which he stated himself to have been a great benefactor. He then protested against this prosecution as a paltry blind to induce people to think that such darings as these would mend the holes in the constitution ; little offenders like himself were to be the scapegoats for the mightier sinners in power and place. He declared himself to be a martyr to the purity of election, and concluded with making an objection to the evidence given on those counts, in the indictment, which charged him with having given money to obtain votes, as being insufficient to support such charges, the means made use of being proved to be Bank-notes, which do not come within the legal meaning of the word money. In support of this objection, Young's case was cited as reported, 14 East. 402 ; and that of Pickard v. Banks, as proving such a distinction to exist. The Judge finally admitted the objection, which rendered all the counts of the information insufficient, excepting the two last, which contained the charge of corrupting Jenkins, and which were free from the erroneous description which was fatal to the others.

Mr Sergeant Pell shortly replied, and

Mr Justice Best then summed up the evidence which had been given

with respect to the attempt to corrupt Jenkins's vote, the only charge on which they had to deliberate, and addressed them in a very eloquent and forcible discourse on the atrocity of the crime submitted to them. He showed the fallacy of such attempts as had been made to influence their judgment by appeals to the modern notions prevalent with regard to reform; and assured them that they would contribute most effectually to the welfare and support of the constitution, by giving their verdict according to their consciences, unswayed by any other feelings than those of purity and justice.

The Jury retired for a few minutes, and then returned with a verdict of *Guilty* on the last count.—On Wednesday November the 17th, the defendant being brought up to receive judgment, was sentenced to one year's imprisonment in the King's Bench.

DEACON ALEXANDER LAWRIE AND OTHERS, v. THE MAGISTRATES OF EDINBURGH.

Jury Court, Tuesday, November 9.

The Court having commenced its sittings for the winter session, a jury was chosen to try the case of Deacon Alexander Lawrie and others against the Magistrates of Edinburgh. The whole of the Judges were present.

This action was instituted in 1817, for the purpose of setting aside the election of the Provost and Magistrates of Edinburgh; and in February 1819 was remitted from the Court of Session to the Jury Court, upon thirteen issues, in the first nine of which the respondents were to stand in the character of pursuers, and in

the last four issues the complainers to stand in the character of pursuers. On Tuesday, therefore, the four last issues were tried, which were as follows:—

I. Whether in the different steps of the annual election of Magistrates, when proxies for absent Bailies were chosen from persons who had formerly been in the Council, it has been the practice, for forty years and upwards, to choose such persons only as actually resided, or had a place of business where they transacted business, within the royalty, ancient or extended, at the time of their being chosen?

II. Whether Mr Malcolm Wright, said to have been elected a proxy for Bailie Sibbald at Michaelmas 1817, actually resided, or had a place of business where he transacted business, within the royalty, ancient or extended, at that period?

III. Whether in the different steps of the annual elections during forty years and upwards, when proxies for absent Bailies were chosen, it has been the practice to choose as such proxies, persons who have previously held the office of Bailie, or Old Bailie, or Merchant Councillor:—Whether such proxies resided, or had a place of business where they transacted business, within the royalty, ancient or extended, or not?

IV. Whether Mr Malcolm Wright, who was elected a proxy for Bailie Sibbald at Michaelmas 1817, had previously held the office of Bailie, Old Bailie, or Merchant Councillor of Edinburgh?

Mr Cockburn, in a luminous speech, opened the case on the part of the complainers. He alluded to the importance of the present question, which, while of vital consequence to the country, was one upon which it was scarcely possible, from its nature, that any one should come un-

prejudiced, and cautioned the Jury to separate every feeling and prepossession with which they might have come there, and give their whole and undivided attention to what was contained in the issues, and evidence in elucidation of the same, as if they related to a question with which, till then, they were entirely unacquainted. He would not attempt to explain to the jury the nature of the set of this burgh, or the laws connected with it; because they were so voluminous, confused, and mystical, that were any person to sit down patiently and read them a hundred times over, he would rise more ignorant and perplexed than before he had perused a single sentence. He would confine himself, and requested that the jury would do so, to what was strictly before them, and proceed accordingly. Bailie Sibbald, about two years ago, being absent from one of the Council meetings, the Council elected as his proxy, Mr Malcolm Wright. Immemorial usage had required, as an indispensable qualification in the person to be chosen proxy for a Bailie, that he should be a residenter, or have a place of business within the royalty of Edinburgh; not that he should have a place of business merely, but a place where he himself transacted business. Any person might have a shop; the Emperor of China, for instance, might have one, and only send an ambassador once in a hundred years; but no one would say that his Highness was eligible as proxy for one of the Edinburgh Bailies. Wright possessed none of these qualifications when he voted in the election of the Magistracy in 1817. The difference between the parties was principally on the first and third issues; the second had been admitted by the Magistrates, and there was no substantial dispute about the fourth. The first and third resolved into each

other, and if he succeeded in proving the first, he could not fail in the second, because, by the first issue, it was to be proved, that for a period of above forty years, it was the practice to choose as proxies for absent Bailies, such persons only as were resident, or had places of business within the royalty, and therefore the defenders could never prove by the third issue quite a contrary thing, that persons who had previously held the office of Bailie, Old Bailie, or Merchant Councillor, could be elected as proxies for absent Bailies, whether or not they resided, or had places of business within the royalty. The first issue was therefore the substantial rallying point in the present case; and he warned the jury not to wander from it, for if that were disposed of there would be no difficulty in the other three. Mr C. produced the records for a hundred years back, but would confine himself to the last forty. From these it appeared there had been, during forty years, seventy-six proxies; not seventy-six different men, for one man might be often chosen a proxy: of these, however, there were thirty-eight men, of whom twenty-two were dead, and sixteen living; and though he could not evoke the ghost of any of these twenty-two, the defenders surely would not doubt the other sixteen, if they said that they all resided within the royalty, or carried on business there. He had little fear also of proving, from witnesses and otherwise, the identity of the departed proxies, and their residence within burgh. Bailies were invariably chosen from the class of Merchant Councillors. There were three Merchant Councillors, and no person was named twice to be a Merchant Councillor. From 1700, only six names appeared in the books to have been named twice, and these anomalies Mr C. ex-

plained. By act of Parliament, which Mr C. read, it would be seen that trade stent was only paid by persons within burgh; and therefore the production of evidence of the payment of this stent, would prove that those who paid lived within the royalty. The Learned Gentleman here proceeded very ingeniously to show, by a variety of clear and concurring testimony, in what manner he would establish the identity of every person on the list of proxies and Merchant Councillors for the above period, their place of residence, of carrying on business, &c. There might be some difficulty in fixing the boundary of the royalty, but Mr C. would mention the City-Wall; the defenders here again might doubt there was a wall; but the pursuers, in order to give the less room for cavil, were at the trouble of sending land surveyors to touch this ancient wall, and make a measurement thereof, so that even the defenders must be satisfied. This might have been superfluous; but as there was no plan nor charter, as in other places, to point out the boundary line of the royalty,—nothing but the common understanding and belief of the city; they had taken this trouble, as well as to procure proof that all the thirty-eight proxies, within the last forty years, had paid the taxes exigible only from those residing or carrying on business within the royalty, and which, therefore, established clearly that these proxies were qualified in the manner contended for, and consistent with invariable practice. All this was the more necessary, as the defenders had refused, in this case, to admit that the Cross of Edinburgh was within the royalty, at the very time that they were labouring, in another, to prove that one Anderson, whose house was in Broughton Street, resided within the royalty.

The defenders indeed denied that residence was necessary, while they admitted that Mr Wright did not reside within the royalty; so that they sheltered themselves under the third issue, and maintained that it had been the practice to elect as proxies for absent Bailies, persons who had been Bailie, Old Bailie, or Merchant Councillor, without the qualification of residence, or place of business within the burgh. But if the pursuers proved, as they were confident they would prove, in the affirmative, the first issue, all the hopes of the defenders on this point must melt away entirely. From the lists made out from the records of proxies and councillors, and which he had no doubt the defenders would admit as accurate and complete, the case for the pursuers would be very short indeed; and they would now proceed with the evidence. (Here some conversation took place between the Court and Counsel, when the counsel for the defenders judicially admitted as follows, viz. 1st, That Mr Malcolm Wright did not reside within the royalty, and had no place of business in Edinburgh. 2d, That a large quantity of books produced in Court were the true and proper records of the city of Edinburgh.)

The Solicitor-General, after some explanation, admitted for the defenders, that these lists did contain an exact transcript, and complete enumeration of the proxies and Councillors from the city records, subject however to correction from said records.

Mr Jeffrey then said, that he held in his hands a list of proxies another of Merchant Councillors, which had been carefully collected from the records for the last forty years, and afterwards compared. By the admission of the accuracy of these lists, each time might be saved to the Court, and the necessity of

examining the host of witnesses in waiting to prove the identity, &c. of the proxies, would be entirely superseded. The defenders had been asked to do so before, but gave no positive answer; however he hoped that this coquetting between the parties would now be at an end, and that they would jump together in this instance.

William Martin, writer, was then called, who proved that the lists had been carefully transcribed from the council records, and compared by himself.

Mr Jeffrey said they would now proceed to examine witnesses, and would take the evidence concerning the dead and living separately. He was inclined to proceed with the latter first, as they were waiting in the next room, and would therefore call in the oldest proxy, Bailie Alexander Allan, who, in 1795, was proxy for Bailie Smith.

The Solicitor-General here admitted his identity, and, upon consultation, that of every individual named in the list of proxies, from 1775 to 1819, and that they did reside, or had places of business within the *royalty*.

Mr Jeffrey then declared the case for the pursuers closed.

Mr Solicitor-General addressed the jury for the defenders. He did not at all agree with Mr Cockburn as to the difficulty of understanding the set of this burgh, and the laws connected with it; they appeared to him as intelligible as those in any other case, and he looked upon Mr C.'s statements as extremely overstrained and exaggerated throughout. On the 30th of September 1817, the Town-Council of Edinburgh met to elect their magistracy of Provost, Bailies, Dean of Guild, and Treasurer. That Council consisted of thirty persons, including four Bailies. Every one

knew that the meaning of Bailie was just Merchant Councillor, with a civil and criminal jurisdiction. The Council must be complete, and in the absence of Bailie Sibbald could not proceed without a proxy, as there was no means of compelling the attendance of principals. It was objected to Mr Wright, that he had not the qualifications which would entitle him to be elected a Bailie; such as residence, or place of business within burgh, which the pursuers contended were indispensable: to this, however, the answers were manifold. In matters of election, and on the 10th of September 1817, all persons assembled were Councillors. In choosing proxies, therefore, they required only to possess the qualifications of Councillors, not Bailies, because it was as Councillors they voted there. Mr Wright did possess the qualifications for Councillor, which did not require residence. With reference to place of business, he conceived it meant only while in office; and though he lived without burgh, yet by giving attendance during the continuance of office, it was the same as if he had had a permanent place of business. This being the case, attention was called to the first and third issue. Though it was admitted Mr Wright was not a resident, nor a trafficker within burgh, that did not change the question; for the terms *residence* and *transaction of business* must be considered with reference to burgh law; and he maintained, that a person having no permanent residence, or place of business within the burgh, might be eligible, though he only on the day of election took apartments in a hotel, or other lodging-house. *Residence* is not required antecedent to, but coeval with office, and a Bailie can only be required to be present at times of exercising his criminal and

civil jurisdiction. He was thus tedious, in order to guard the jury from expressing themselves in terms of the issues, which he held to be obscure, and almost unintelligible, and which he had no doubt would be found to be so by the ultimate Court to which it was not improbable this case would go. He would now state his views of the first and third issues. It appeared to him, that instead of these issues being similar or resolvable into one, they were perfectly distinct, and that the only fault lay in the framing the issues, as the term "only" in the first was a limited one, as it seemed to make residence the sole qualification. Were the jury prepared to say no other qualification was necessary? There might be twenty others. The Solicitor-General endeavoured, at great length, to persuade the jury, that they were called upon, not to decide merely what had been the practice at the election of proxies, but what were the views and feelings of the electors at the time, by which they might discover whether accident or intention occasioned the election only of such proxies as were resident. He also entered into a learned definition of the term *practice*. In vulgar language it might be said to be fact; but then that was exceedingly vulgar; it meant usage, and usage meant custom, altering or creating law. Usage might create or alter law, but non-usage never; and though the Council may not have exercised their right of choosing non-residenters, it did not follow that they had no right. There was no direction or provision in the set of the burgh; it only said, "if any shall be absent, the Council present will choose another in their room." In records and in lists of proxies for Bailies, in every instance except two, they were designed as late Bailie or late Councillor only,

which showed that no other qualification was necessary.

The Counsel for the pursuers now admitted the affirmative of issue fourth-thirteenth.

William Forbes, late keeper of records, was called for defenders, who said that he had been in the habit, above forty years, of attending Council and writing their minutes; and that he had seen persons desired to go out and look for proxies, and had done so himself.

Here Mr Jeffrey interfered upon other questions being put, which went rather to trace the animus or feeling of the electors, than the fact of elections; and after a good deal of discussion, the Court decided that the questions were inconsistent with the issues, and could not be put, and thought it unnecessary to call any other witnesses if the defenders intended to put similar questions. The case for the defenders therefore closed, but they intimated they would give in a Bill of Exceptions.

Mr Jeffrey addressed the jury for the pursuers, premising that he would only detain them a few moments, as there were sufficient grounds for the jury, on the admissions of the defenders, to return a verdict for the complainers. It was unnecessary for the jury to perplex themselves with the details they had heard; the general and substantial question was, whether the Town-Council ever elected proxies for Absent Bailies, who were not residenters, or who had no places of business within the burgh; and the particular one related to Mr Malcolm Wright's qualifications in this respect. The defenders' admissions settled both points, as well as that the list of proxies produced was accurate and complete, and that all the persons therein contained had residence, or places of business within the burgh. It would be idle to waste

time in refuting points of law so largely and learnedly discussed by the Solicitor-General, as they had been injudiciously and improperly introduced; and when the jury had considered and decided on the naked facts in evidence and in the issues, they had fulfilled the utmost of their duty, and it remained with the Court of Session to apply the law. Indeed it was highly improper, because the learned Solicitor knew well, that every discussion on legal points should be addressed to the Court, not to the jury, and the jury should avoid answering or deciding upon any thing which had not a corresponding question in the issues. The admissions of the defenders completely exhausted the issues, and the jury were bound to disregard all the fine distinctions and novel views of the Solicitor-General; for if they attended at all to them they might as well listen to proofs or arguments tending to show that Mr Malcolm Wright was seven feet high, worth twenty thousand pounds, or had run away with another man's wife. There was not evidence that Mr Wright had once showed his nose in Council in 1817. Mr Jeffrey, leaned upon the different points with his usual felicity and apt illustration, and shewed that it was impossible for the jury to do any thing else than return a verdict on the first, second, and third issues for the pursuers.

The Lord Chief-Commissioner then shortly summed up the case, when the jury retired, and returned in about three quarters of an hour, delivering through their Chancellor their verdict; finding the first three issues for the pursuers, and the fourth (which is immaterial and had been admitted) for the defenders; that is, affirming the first issue as to the qualifications of residence, &c., and negating the second and third as to the residence of Mr Wright, and the

election of proxies for Bailies, without the qualifications of residence, &c. and affirming the fourth, that Mr Wright had been Bailie, Old Bailie, and Merchant Councillor.

The Jury were requested to attend on the following day, (Wednesday,) to proceed with the other issues.

The second set, including the five first issues, occupied the Court during the whole of Wednesday and Thursday. These issues relate to the irregularity committed by the Town-Council in 1817, in permitting Mr Deacon to sit in Council as a Trades Councillor of the expiring year, and to receive himself as Deacon, and afterwards as a Council Deacon. The second issue seemed to be of very trifling importance; and the third, fourth and fifth were put to rest by the admission of the parties. The whole labour of the Court was, therefore, directed to the first issue, the object of which was to ascertain what had been the practice, for forty years or upwards, in relation to the irregularities complained of.

On Wednesday morning Mr L'Amey opened the case for the Magistrates, pursuers in these issues. He undertook to prove, that for forty years and upwards a trades councillor, when elected a deacon of his corporation, had always concurred in receiving himself as a deacon, and in electing himself a council deacon. The practice since 1777 exhibited a few cases in his favour, and a few similar cases also occurred between the Union and 1777. But the great body of the practice which he rested on was to be found between the date of the set in 1583 and the Revolution.

When he had concluded, Mr L'Amey

put in as evidence to the jury, the whole records of the Town-Council. The Lord Chief-Commissioner remarked, that many of the instances found on might have been admitted by the parties. But Mr Moncrieff stated, that this could not be done; because by far the greater number were capable of being explained away, or were inapplicable. The counsel for the Magistrates proceeded with his proof. Some he abandoned on finding them to be incorrect; the rest he considered himself as having succeeded in proving. This laborious investigation was not completed till a late hour (eight o'clock;) and Mr Moncrieff having stated, that though he was prepared to proceed with his reply, he could not complete his case in less than four or five hours, the Court, after a short conference with the jury, adjourned the case till the following day.

On Thursday morning, Mr Moncrieff opened the case for Deacon Lawrie, in a speech unrivalled for logical acuteness. It placed the matter at issue in the clearest light, and evidently fixed the attention of the jury. He undertook to show, that several instances of a trades councillor being chosen a deacon had occurred within the last forty years, in which the Council had done, what always ought to be done, and what the set requires, viz. had chosen a proxy for the trades councillor. He also adduced similar instances betwixt the Union and 1777. In all these instances the very reason of Deacon Lawrie's complaint was assigned in the minutes as the reason for choosing a proxy, namely, the incompatibility of the two offices of trades councillor and council deacon. These instances seemed to jus-

tify Mr Moncrieff in taking the ground on which he placed his case; and he argued that they were illustrations of the understanding which had always subsisted of what was required by the set; while the opposite instances, adduced by the Magistrates, were merely acts of negligence, and therefore that his own cases were to be taken as fixing the practice. Mr Moncrieff farther alluded to the practice preceding the Union. Every person knew that those were times of oppression and violence; and irregularities in the burgh proceedings were at that period so gross as to render poll elections throughout the kingdom indispensably necessary. The practice, therefore, of such periods ought not to be taken into consideration. But even in the period preceding the Union, Mr Moncrieff argued, that the pursuers had failed in showing that trades councillors had been in the practice of voting in receiving themselves as deacons, or in their own election as council deacons. He brought forward various instances, in which the sederunts were either not full or general. In other cases he showed that there were two persons of the same name in the Council, and therefore he argued, that in all the other instances the Magistrates were bound to identify the trades councillors with the deacons of the same name. This they had not attempted, and at such a distance of time it was almost impracticable.

After Mr Moncrieff had led his evidence, Mr Ferguson addressed the jury on behalf of the Magistrates. He did not consider himself bound to prove the identity of those trades councillors, who had in ancient times done the very thing which Mr Denholm had done in 1817. In a period so remote as the sixteenth and seventeenth centuries, the identity must be taken

for granted unless Mr Moncrieff could show the reverse. The Learned Gentleman also urged upon the jury, that the instances which Mr L'Amy had adduced betwixt the Union and the present period, must not be taken as mere acts of omission, but must, in spite of Mr Moncrieff's argument, be held as contributing to fix the practice. He endeavoured likewise to explain away the instances since the Union, which Mr Moncrieff had, with much effect, urged upon the notice of the jury.

The Lord Chief-Commissioner then addressed the jury, who returned a verdict nearly in the following terms:

Upon the first issue, find, ~~that the~~ practice referred to in these issues has sometimes been in the one way, and sometimes in the other.

Upon the second issue, find, that Mr Denholm, who was first trades councillor for the year 1812 to 1813, was absent at the beginning of the sederunt of the meeting of council at Michaelmas 1813 for receiving the new deacons, and electing six council deacons, when Mr Law was elected a councillor in the character of first trades councillor, the office held by Mr Denholm; and that it has been the practice, for forty years, or upwards, for a proxy, when chosen for an absent trades councillor or council deacon, to continue to sit and vote at said meetings to the end of the sederunt, although the person for whom he was chosen proxy appears in Council after the business began.

Upon the third issue, find, that at the meetings of the Town-Council for receiving and authorising the newly elected deacons, it has been the practice for forty years, or upwards, for persons in the situation of council deacons, if re-elected deacons of their respective incorporations, to sit and vote in receiving and authorising themselves, and the other new dea-

cons, or in electing the new council deacons, or re-electing themselves into that office.

Upon the fourth issue, find, in terms of the admission of the complainers, as to the various cases therein mentioned, but that these cases do not constitute a practice for forty years or upwards.

Upon the fifth issue, find, that at the said meetings, it has been the practice, for forty years or upwards, that the Town-Council consist of the full number of twenty-five members, including therein the cases of trades councillors, or of proxies for trades councillors. Who have voted in receiving and authorising themselves, and the other new deacons, or in electing the new council deacons, or re-electing themselves into that office.

The Court adjourned till Monday the 15th, for the trial of the four remaining issues, relating to the case of Bailie Robert Anderson.

LAWRIE AND OTHERS AGAINST THE MAGISTRATES OF EDINBURGH.

Jury Court, Monday, November 15.

Having given a pretty detailed account of the trial of the first and second set of issues in this important case, we now proceed to lay before our readers a full and accurate statement of what took place on the trial of the third and last set of issues, on Monday and Tuesday the 15th and 16th November.

The third and last set of issues, in which the Magistrates were also pursuers, were as follow:—

VJ. Whether, at the annual meeting for the election of Magistrates, it has been the practice, for forty years, or upwards, to elect as Bailies of the

city of Edinburgh, such persons only as actually reside, or have a place of business within the royalty, ancient or extended, where they actually transact business?

VII. Whether there have been instances of persons having obtained possession of a shop, cellar, house, or room, as a colourable place of business, for the purpose of qualifying themselves to be elected Bailies of the said city?

VIII. Whether Mr Robert Anderson, said to have been elected a Bailie of the city of Edinburgh at Michaelmas 1817, actually resided, or had a place of business where he transacted business, within the royalty, ancient or extended, of the said city, at the period aforesaid?

IX. Whether Mr Robert Anderson, resided at No. 6. Broughton Place, and was a partner of the Commercial Banking Company of Scotland, and a holder of thirty shares of stock of the said company, and actually transacted the business of the bank at the office of the company in the High Street, at the period aforesaid?

Mr Forsyth opened the case for the pursuers. They had now come to the last stage of this laborious business, and he had considerable confidence that this day's investigation would procure for the Magistrates a verdict every way satisfactory. The first thing he would direct their attention to was the case of Mr Anderson. It is asserted by the complainers, that Mr Anderson, at the time of his election in 1817, did not reside, and had no place of business within the royalty. It is true these qualifications for being elected a Bailie were required by statutory laws, but these were of remote dates, and had, in many instances, gone into desuetude; others had been altered by one of the Jameses,

by submission to Lord Alva, and by Queen Mary: and, in point of practice, it would not be denied that, in the greater part of our Scotch burghs, these statutes were little attended to. Many instances occurred in which Bailies were elected without any such qualifications; and in almost every instance out of the metropolis and Glasgow, it would be found that Noblemen and Gentlemen were elected Provosts, without either having a place of business or residence within burgh. It is extremely difficult to define what is within burgh. Lochend is within burgh; so are many places equally distant; James's Street is not; one side of Leith Street is, and the other not. This point was not like that relative to Mr Denholm; in the latter the Court expressed an opinion; in the former they had not, but sent it to the Jury for a report upon all facts.

There were three questions at issue. 1st, As to the place of business: 2d, As to residence within the royalty; and, last, As to the practice at annual elections of bailies. The fourth was of little importance. He would find no difficulty in proving that persons had been elected Bailies, without residence or place of business. Mr P. claimed the jury's attention to the first point. Mr Anderson was partner in the Commercial Bank, which was within the royalty; he held thirty shares of L.500 each, of which he had already advanced L.3000. The Commercial Bank pays taxes within the burgh; and as a partner of that concern, Mr Anderson pays taxes. He had thus a place of business, and gave attendance there to qualify himself. It is not necessary for a banker, in order to transact business, that he should tell out the money, and post his books: he leaves that to his clerks, and only looks over them. No one

would say that Mr Ryrie or Mr Younger did not transact business because they did not put their hands into the mash-tubs. "Qui facit per alios facit per se." In this view Mr Anderson, to all intents and purposes, did business in the Bank, which is within the royalty; he had a large sum at stake; was by the contract responsible for losses; and was liable to the same risks as in common trade. How is he different from Sir John Hay or Mr Henderson? Their names are not in the firm; yet they are held to transact business, though it is objected on the other side, that in this case there are a Manager, a Cashier, an Accountant, and a Managing Committee, who are called Directors. By contract, none can be a director above five years, but may be re-elected after one year's interval. Mr Anderson went out of the direction in 1816, and came in again in 1817, in which interval he was elected a Bailie, just six or eight weeks before he came a second time into the direction. Mr A. was a burgess and guild brother, had pitched his tent in Edinburgh, and perilled his whole fortune in this Bank. When out of the direction he did the same as when in; he went daily there; and either advised as to discounts, or looked over the clerks,—for "the dust of a master's feet is good manure,"—and he was liable to sequestration on account of the Bank, and to lose all he was worth. In short, the jury must find, in this instance, that he had a place where he transacted business. • On the next question, as to his residence within the royalty, it was admitted by both parties that he resided at No. 6. Broughton Street, and the question was, Is that within the royalty? The city of Edinburgh consisted of two parts, the ancient and the extended royalty. There was a difficulty in completing

the first plans for extending the royalty, from so many parts being feued to different people, some of these were willing, others not; and there was a clause introduced into charters, by which feuars were bound to agree if ever the royalty extended over their grounds. It first extended over the Royal Exchange, next over the North Bridge, and then the New Town. By act 7th George III. Bedford's Parks, Broughton, Forglen's Parks, Calton-hill, &c. were brought within the royalty, and made liable in duties. It was thus, by shreds and patches, that successive Magistracies were enabled to render our city one of the principal ornaments of the British empire. There is still, however, such looseness and inconsistency, that it is difficult to point out what is within the royalty. It is absurd to make James's Square not in the royalty, and to say that a person residing there is not eligible to act as Bailie, while one at the Water of Leith is. There were three feus got by persons of the names of Simpson, Gardner, and Jollie. Simpson's feu forms part of Broughton Street; and on Jollie's feus, Broughton Street and Broughton Place are built. Gardner would not consent that his feu would be brought within the extended royalty, but Jollie obtained it afterwards, and he and Simpson consented. It is true consent could not royalize till followed up by statute; and the question is, Was effect given to that consent? It was. By act of Geo. III. in 1809, by which a large territory was added to the town, those who consented, or might hereafter consent were declared to be within royalty, so that No. 6. Broughton Place was clearly so. As to the 6th issue, regarding the residence and place of business within burgh of candidates for the magistracy, Mr F. considered it as at once the most im-

portant and difficult. He would be able to prove that the practice of electing such qualified persons only was not exclusive. It mattered not in how many cases there was a deviation. One was as good as a hundred. It would however be proved to the jury in ten different cases, viz. Bailies Shaw, Macvicar, Eyre, Wood, Muir, Younger, Brown, and Cowan, (two of these twice elected,) none of whom resided, or had places of business within the royalty. Before the disastrous battle of Flodden, the city was within walls which run by the Castle, within the Cowgate, down Leith Wynd, and along the North Loch; but afterwards it was extended as a defence beyond the Cowgate and other suburbs. If these ten cases were established the jury must find for the pursuers.

Pursuers' Proof.—Messrs McCartney, Robertson, and Paul, Manager, Secretary, and Accountant of the Commercial Bank, Mr Burns, W. S., Mr Ellis, writer, and Mr Wyld, merchant, directors of the bank, were severally examined, and agreed that Mr Anderson held thirty shares, was a director till 1816, and afterwards from 1817; that it is the duty of directors to meet three times a-week, to consult as to granting discounts, cash accounts, &c.; that Mr Anderson attended closely, but when out of office it was optional in him to attend; that though, when he did attend, his advice might be asked, it was only the same as they would of any other person; and that, at these times, he did not sit at the business table, but generally near the fire, reading the papers, and had no right to give orders, nor, as Mr Robertson said, to demand inspection of his books, &c.

A great many respectable witnesses were examined as to the ten persons who had been elected bailies without

residence or place of business within burgh, which in most instances was proved, as well as that, in more than one, colourable places of business had been taken to qualify them to be elected. Mr Jeffrey objected to evidence in Mr Cowan's case, as he was elected in the middle of the year, to supply an accidental vacancy, and the issue applied only to cases at annual elections. The Court overruled the objection, and Mr Jeffrey tendered a bill of exceptions.

Mr Jeffrey, for the defenders, now charged the jury.—He was very much deceived if he would occupy more than a moderate share of the jury's time by the statements and observations he had to make; and it would be his study to manage these so as they would have little difficulty in following him. No preliminary was required, and he would commence with facts. The two last issues related to the personal condition of Mr Anderson. Though he had little doubt of the verdict on both being for him, he begged to say that both were not necessary, as a verdict in one would make it impossible to give the other against him, or at least to make it in any consequence; and he would rely on this verdict from the evidence given, with a few explanations, as he did not mean to call a single witness about Broughton or the Commercial Bank. The arguments of the pursuers, of which they seemed very proud, as to Broughton Street, seemed to be founded on the feus of Simpson and Gardner, conveyed to Mr Jollie by charter in 1807. It was admitted on his part that Mr Jollie's charter contained a clause that in case the royalty should be extended to that quarter, Mr Jollie should build houses according to plan, subject to public burdens, and that the same clause was in Simpson's; but this was not consent when Magis-

trates or Managers of Heriot's Hospital chose, but when the authority of the Legislature should ordain it. In 1809, an act of Parliament was obtained, without consent of Jollie; but that was of little consequence, as a careful or careless reading of the act would convince the jury, that this point must be decided by the local description; besides, it was admitted by the party, that No. 6. Broughton Street was not on any of the lands contained in Mr Jollie's charter. By the act Broughton Street is manifestly excluded. Broughton Street is built on the east side of the road leading down from Broughton to Canonmills or Bonnington; whereas, in the act, which is distinct and perspicuous, the lands declared to be included in the extended royalty are described as lying on the west side of this road, and bounded by it on the east; and every time the lands are mentioned, it is "within the boundaries foresaid." The title-deeds show the same; and it is already admitted, that Broughton Street does not pay town but county tax, so therefore cannot be within the royalty. Next, with regard to the place of business, no other is asserted than the Commercial Bank, and where, when he was made a Bailie, it is alleged Mr A. occasionally called in. This might be passed over with little or no proof, and few observations. There can be no doubt that a principal banking establishment, like the present, though a private one, is very different from a small company of partners, entitled to interfere in the concerns, to know what is going on, and without any censorship or controul, but exercising mutual rights. But the Commercial Banking Company consists of 760 partners, and has a capital of three millions. And is it not palpable the confusion and the risk it would occasion, if every one

of this large and mighty democratical assembly might have a voice, and be entitled to interfere in the management except at stated meetings? But it is wisely provided for by the contract, that the whole business shall be entrusted to a certain number of officers and directors. When Mr Anderson signed bonds, it was not for himself, but for behoof of the company. And it was stated by witnesses, that, when out of the direction, he had no right, but at stated meetings, to demand inspection of the books, or otherwise it was merely *ex gratia* of the directors that any thing was communicated. It is impossible to find that Mr A. had a place of business. It is true the bank might be a lounge to him; he had no other business, and the habit of five years, in which he had held the post of honour, along with the usual polite permission of the directors, might induce him instinctively to dandle up, where he was at least certain of being laudably and innocently amused, by perusing the gossip and politics of the day, and warming his toes at a comfortable fire. The other party endeavoured to perplex the evidence. They asked not, why he was there, but what effect his being there had; and it was very properly proved that Mr Anderson never pretended to interfere, never spontaneously gave any advice, but only when applied to, as they did to all and sundry. There was another piece, not of very deep cunning, but an attempt to be artful—they asked, Did he attend during the interval of his being out of the direction? However, they were answered, that "he looked in;" and to the question, "Had he any right to demand inspection of books or to interfere?" it had been answered, "Most certainly not." Now really, gentlemen, without any wish to undervalue the importance and acquirements of

Mr Anderson, it has not appeared in evidence, that the presence of this Atlas was so indispensable, or that, perhaps with supernatural efforts in other branches, the bank might not have had some small chance of success, even though he had withdrawn his brawny shoulders from it altogether. I confess I am hardy enough to think this possible. After this it would be unnecessary to take much notice of the argument of working by servants. Mr Anderson never, directed, never presumed to do so; no, they had not proved that he did any thing to bear out the ingenious simile of the brewer and his mash-tub. Even that obsequious and enlightened porter, so learned in his trade, did not know whether he was in or out of the direction, though he had said that he never missed Mr Anderson daudling in to the Bank,—the same as if he had said he never missed the coats, hats, and sticks hanging in the lobby. It has been seen, therefore, that Mr A. had no powers, and though he had carried on a system of usurpation, and elected himself an absolute dictator, in virtue of which he transacted business, yet as the contract excluded his right, it would be found that he did not transact business. It was said, he had responsibility and risk, but that does not make him transact business. Every person within the burgh paid trade stent for their business, but Mr Anderson paid none, which proves that he had no qualification within burgh; for the Magistrates never as yet, in their great and grinding need of money, or in the most romantic of their projects, advised to stent those without the burgh. It is no doubt true, he was often seen there, but that does not constitute his doing business, any more than his lounging at the Cross, or haunting a tipping house would do. Indeed, bargains are every day made on the

High Street by persons not pretending to have business. A man truly does business when he has a place where he has a right to go, and from which it would be a neglect of duty to stay away, and which brings him in contact with persons on business; but he had no right to go to the Bank, and would not have been blamed for staying away; and they might have shut the door in his face, though out of respect for the laudable anxiety of Mr A. they gave him a polite invitation to come and warm himself, and read the papers, and comfort himself with the daily assurance, that his wealth was in a prosperous concern. Mr Anderson certainly had been once specially invited when not a director; but it will be remembered that it was about a week after he went out, and about a business begun while he was in. All other visits were mere gossiping ones, and the effects of an amiable, natural and inveterate habit—an unwillingness to resign even the phantom of that consequence and power which had, for so many years, soothed and sweetened his private reflections, and dignified all his public acts and appearances, and which made him thus, in the interregnum, haunt, like a troubled ghost, the scene of his former greatness. They might ask him questions when there, but never asked him to come on purpose. But let it be remembered there are two people concerned in the game of business—one buys, another sells—one asks, another discounts; but Mr Anderson, while out, did not affect business, and no one could have transacted business with him. It is our lot the question to say, because he was lingering about the place, and because they might ask him questions, perhaps merely to prevent him thinking they took no notice of him, that he was there doing business. This is too much of a piece with the wild

and extravagant attempts of the pursuers in other respects. It is surely most pitiful and extraordinary in them to say, he not only did the bank's, but his own business, because he had been called out at times. If he did business for himself there, he had no right to do so: he came by sufferance, and remained by sufferance, and was uncalled, and, for all I have heard, uncared for. Supposing some of the respectable jury met in a coffee-house, and talked over the conduct of ministers, and the politics, of the day, no one would say, nor would they themselves think, that they were doing the business of the nation. So is it with Mr Anderson, who frequented the bank without any obligation, for the express purpose of filling a vacant hour, which his want of other business to do often thrust upon him. Mr Jeffrey entertained no doubt the jury would find for him in both cases. The law was not disputed as to the qualifications of bailies, and must have force, unless abrogated by the enactment of other laws, or forty years' usage. Bailie Anderson was elected in 1817; he had not the qualifications, and his election was complained of. With regard to Provosts, the qualifications had generally been dispensed with in the country; and a hundred years' usage of dispensing with residence has set the statute, in so far as applicable to them, in desuetude. Lord Kilkerran found that Provosts were not required to be residents, but that the Bailies, Dean of Guild, Treasurer, and six of the nine Council, must have residence. In the 6th issue, the Magistrates were made pursuers, and the burden of proving fell upon them. If they did not prove, he would not be called upon to do so, but would be entitled to a verdict. The law stands, till by proof of the contrary usage for the legal period it is set aside. The pursuers aver that it

is the custom to elect bailies not resident, but they must prove this practice for a clear period of forty years. He could dignify with no other term than a quibble, the explanation that was attempted to be put on the word "only" in the issue; they attempted to say that it applied to instances, when it was evident it was meant purely to distinguish persons and residence, not instances: but they would be bound to prove the existence of the practice for forty years. "Only" was an intensive expression in grammar; and the statement would have been equally clear without it, though not so emphatic. The Court of Session evidently wished to ascertain the practice, and not whether there was one or two instances against it. It could never be said that a few solitary exceptions would create a contrary practice. There were two illustrious instances in the House of Commons, of the practice being departed from, in the great leaders of the two parties, Pitt and Fox, who took their seats before they were of age; but that did not alter the law, which requires majority as an indispensable qualification. He himself was an humble instance of indulgence or oversight in the Faculty, having, from difficulty or delay in procuring a certificate, been admitted without proper scrutiny. And he would mention a very memorable instance which had lately been communicated to him, of Secker, who was baptised and brought up as a dissenter, and yet was admitted into the Church of England, and promoted to the dignity of Archbishop, though the laws of the Episcopalians denied entrance within their pale, except to those baptised in the bosom of their own church. But none of these altered the onward course of practice. So here, if practice be made out for forty years, exceptions do not alter it. There was produced by him a list of

one hundred and sixty-four bailies, out of which all they offered to prove as exceptions were ten, and not above one-half would they be able to instruct; for that number included Mr Cowan, who did not come within the scope of the issue, and two or three who were proved to have had colourable places of business to qualify them—a strong presumption that they were sensible in law, as well as practice, that residence was necessary. The Magistrates have not attempted to go beyond a period of thirty-two years with the instances of exception; and it was clear they were bound to prove a practice of forty years, though it was confessed they had no evidence for the period required by the issue. (Here Mr Jeffrey entered into a long scrutiny of the evidence in favour of the ten exceptions.) Thus, only four or five exceptions would be left; and he could not for a moment think, that the jury would suffer such a small number to alter the course of practice, through a series of one hundred and sixty-five bailies. He humbly implored an act of naked justice for the defenders, by the verdict which they would find in the several issues; and offering his most contrite apology for the time he had detained the jury, he left the case with confidence in their hands.

The Court then adjourned till Tuesday morning, when the defenders proceeded with their proof regarding the residence of the ten persons excepted by the pursuers under the sixth issue. Mr Taylor, of the City Tax-office, identified the stent-books produced, and showed from them that Bailies Thomson and Sharp were entered as tenants at the time of their election, and “noughted,” i. e. eased of a certain part of their stent, in consequence of their being Magistrates; and also that

Bailie C. Kerr was entered as a tenant. Sir Wm. Fettes, Dr Stewart, Bailie Eyre, J. Sharp, and — Baird proved, that C. Kerr was a partner in the King's Printing-office; F. Sharp, a partner in the firm of J. Jackson and Co.; and W. Thomson partner with Thomas Lawrie, and had all places of business within the royalty. One witness, J. Gibson, gave evidence, that Bailie Shaw had a cellar where he transacted business in the Lawnmarket at and before the time he was a bailie. Walter Smith stated positively that Bailie Muir had a garret in the High Street, where he kept gunpowder; and another witness, Baird, swore that Bailie Macvicar had a receiving shop in the Cowgate, as he had directed persons there himself.

The Solicitor-General then addressed the jury on the part of the Magistrates, and went over many of the grounds stated by Mr Forsyth in his opening speech. As to Mr Anderson's place of business, it was proved he was always at the Commercial Bank whether in or out of the direction. The issue asked whether or not he had a place of business, and it was for the jury to make up their minds as to what constituted a place of business; and they would find that in every construction Bailie Anderson had one. He was a partner by contract, had been long a director by election, advised and consulted at the bank upon its business, was inquired after there as the known and only place of his business, was a sharer of its profit and loss, and participated in all the confidence and consequence that partners in any other concern do. It would be seen from contract that he was not a dormant partner; and the other party should show, that he was incapacitated to be an active partner, before they could overturn all the acts of

business and partnership which it had been shown he performed. It is not necessary, in order to be a banker, to stand behind a desk, receive and pay away money, discount bills, and toil at the books. A banker may accept bills by procuration, devolve discounts and books upon clerks, and not appear within the bank above once a month. If a partner does one act, it is the same as if he did all. One partner has power to dissolve the company; yet it was asked at a witness, if a partner had a right to demand examination of his books. There were eight cases, which the defenders attempted to prove were well qualified, but they certainly were not so well qualified as Mr Anderson; for in several of the instances, such as Thomson, Younger, Kerr, and Macvicar, no witnesses had sworn they saw them in their shops transacting business; and though some of them were proved to have been stented, so was Mr Anderson, as a partner of the Commercial Bank. As to place of residence, the Solicitor-General read several extracts from the act 1767, extending the royalty over Queen Street, and contended that it was by that act, and not by the act 1809, that the jury were to be guided; at least they were entitled to construe the one of 1809 by that which preceded it in 1767; and if he could not prove Broughton to be within the royalty, the jury could have no objections to give at least a special verdict. (Here the Solicitor-General was proceeding to interpret the act, when he was stopped by the Lord Chief-Commissioner, who said that it was his province, but that the party might give in a bill of exceptions to his interpretation.) He contended his construction of the act, that is explaining one by another, was not novel, and denied he had admitted

in the Court of Session that Broughton Street was without the royalty. However, if there was a doubt on that point, there was none as to place of business. He next remarked on the defender's proof, and maintained that he had distinctly proved ten exceptions to the sixth issue, and hoped that if the jury did not find a general verdict for him, they would specify the exceptions; that as to Mr Anderson's place of business, it was a question of law, and if not satisfied of it, begged they would state the nature of his attendance. He trusted the jury would give due deliberation to this very important case, as it might not only be subversive of the present Magistracy, but go deeply into the general question of burgh law.

The Lord Chief-Commissioner shortly summed up the case to the jury. He knew the long and arduous duty they had so patiently performed, and would be brief. The counsel had not proceeded in the order of the issues; and to prevent the jury being perplexed, he would take the same course. It had been distinctly proved that Bailie Anderson was out of the direction at the time of his election; and the witnesses adduced by the pursuers themselves had agreed in saying, that during that time he attended merely for his own amusement, and had no share in the management, except occasionally through politeness the directors asked him questions. But all this did not constitute transaction of business; and he thought that the jury were bound to negative the latter part of issue ninth, by finding that Mr Anderson did not actually transact the business of the bank at the office of the Company in the High Street, at Michaelmas 1817. On the eighth issue, as on the others, he was happy that he had the concurrence of his learned brothers. He

considered that the act 1800 was explicit enough in itself to explain its purposes, and that it clearly proved No. 6. Broughton Street not to be within the royalty, because the property there extended is all described as "lying on the *west* of Broughton road, and bounded by it on the *east*, whereas Broughton Street is indisputably erected on the *east* of that road, and bounded by it on the *west* ; and in every clause of the act where the property is alluded to, there is added, "within the boundaries foresaid," and sometimes the strong and unequivocal term "limits" is joined. As to the second part of this issue, it is not alleged that Mr Anderson had any other place of business, than the bank, so that that point will be determined by their verdict on the ninth ; and he was of opinion that they should find, that "he actually did not reside, and had not a place of business within the royalty, ancient or extended." The seventh issue would be easily disposed of, as instances were admitted, and others proved, of colourable places of residence or business having been taken to qualify candidates for the Magistracy, and the jury would return their verdict to that effect, specifying the instances. The sixth issue was the first in the list, but the last in the order adopted by counsel, though certainly not the last in importance. It appeared to him that two or three exceptions could never alter an established practice for a long period ; and that though the construction of this issue admitted of argument, it was the intention and wish of the Superior Court to ascertain the practice, and not whether there were any, or few instances against it. There were lists produced by complainers, containing the names of one hundred and sixty-five bailies, who had successively been in the

Magistracy for upwards of forty years ; of these ten were excepted by the present pursuers, and some of these were liable to question ; yet even there did not occur within that period, sufficient to affect the contrary practice ; for the issues required forty years, and these did not go beyond the last thirty-two years. He had no doubt in his mind, that in the legal interpretation, as well as that of common experience, the practice in so many instances could not be altered by exceptions so few in number, and so much short of the legal prescription. These few remarks exhausted all that he considered it necessary to say to the jury, on points to which they had paid so much attention. With regard to the proof about the persons excepted, he would only refer the jury to their notes ; and while he stated it as his opinion, that they should find in this issue that it had been the practice at annual meetings, for forty years and upwards, to elect as bailies such persons as actually resided, or had places of business within the royalty, &c. they should indorse upon it the names and numbers of such exceptions as they might think sufficiently proved.

The Solicitor-General gave in a bill of exceptions to the Court's interpretation of the acts of Parliament, &c. when the jury retired for about three hours, and returned the following verdicts :—

VI. Find, That at the annual meeting for the election of Magistrates, it has been the practice, for forty years or upwards, to elect, as Bailies of the City of Edinburgh, such persons as actually reside, or have a place of business within the royalty, ancient or extended, where they actually transact business, with the exception of *Re* instances to be recorded of persons who have been elect-

ed, who did not actually reside or have a place of business within the royalty, ancient or extended, where they actually transacted business; viz. George Shaw in 1785; Neil Macvicar in 1793 and 1801; John Muir in 1807; Walter Wood 1796; James Eyre 1795 and 1798; Archibald Campbell younger 1808; Duncan Cowan 1814; Walter Brown 1816; all of whom were elected at annual meetings, except Duncan Cowan, who was elected in the course of the year to fill up a vacancy.

VII. Find, That there have been instances of persons having obtained the possession of a shop, cellar, house, or room, as a colourable place of residence or business, for the purpose of qualifying themselves to be elected as Bailies of the said city of Edinburgh, and which persons are the following, viz. James Eyre 1795 and 1798; Walter Wood 1796; Archibald Campbell younger 1808.

VIII. Find, That Mr Robert Anderson, said to have been elected a Bailie of the City of Edinburgh at Michaelmas 1817, did not actually reside, and had not a place of business where he transacted business within the royalty, ancient or extended, of the said city, at the period aforesaid.

IX. Find, That Mr Robert Anderson resided at No. 6. Broughton Place, and was a partner of the Commercial Banking Company of Scotland, and a holder of thirty shares of stock of the said company, but did not actually transact the business of the Bank at the office of the Company in the High Street of Edinburgh at Michaelmas 1817.

COBBETT'S REGISTER.

*Court of King's Bench, Friday,
December 10.*

WRIGHT v. CLEMENT.

Mr Chitty stated that this was an action against the defendant, Mr William Clement, for publishing two alleged libels contained in "Cobbett's weekly Political Register," one on the 4th of January 1817, and the other on the 3d of July 1818, imputing to the plaintiff the forgery of certain letters, obtaining money under false pretences, and other matters injurious to his character.

Mr Scarlett, who, together with Mr Gurney and Mr Denham, appeared for the plaintiff, in his address to the jury, distinguished this case from another action which had just been tried, by observing, that this was a case of a much more aggravated nature, inasmuch as it seriously affected the interests of a private individual, upon points on which his very existence in society depended; whereas the former arose out of a matter connected solely with the political character and conduct of a person who was an actor in some of the continental transactions of the last war. This distinction was the more likely to engage the attention of the jury, considering the aggravated nature of the libel now presented to their notice. The plaintiff was a person well known to the literary part of the city of London, as being the conductor or manager of a register of the proceedings in Parliament, published under the name of Mr Cobbett. In testimony of the value and importance of that publication, in which Mr Wright had displayed so much industry and ta-

lent, for his own part he confessed there was no book which he had ever read from which he had derived so much professional knowledge upon the subject of election law. The defendant, Mr Clement, was a gentleman also well known as the editor or proprietor of the *Observer* newspaper, and he (Mr Scarlett) would say of that publication, that he believed it to be a most respectable journal, and conducted in such a way as to afford very general satisfaction. The publication in which the alleged libels which were the subject of the present action appeared, was not one of the same character, or of which the defendant avowed himself to be proprietor, although it would be proved that he was the agent of the proprietor. What share or interest he had in the sale of it was not publicly announced, nor indeed, for the purposes of the present action, was that a matter of importance. It would be sufficient to prove that he had been the individual through whose hands the libels had been sent into the world. The learned counsel then entered into a history of the party libelling, and the party libelled. The pleadings had stated that the libels were published in "Cobbett's Political Register." The jury were sufficiently apprised of who Mr Cobbett was. To mention the name of that man was enough to convince them of the influence and effect which a work coming from his pen must have upon the minds of those who were susceptible of the strongest impressions which the English language was capable of making. Mr Cobbett, it was known, possessed great powers of argument, and probably equalled any man that ever existed in the faculty of exciting popular feeling. Such qualities rendered him a most formidable opponent to any man who entered the

lists with him in written discussion; but this became still more formidable, when exerted for the purpose of gratifying personal resentment. There had once existed a connexion between Mr Cobbett and Mr Wright. This connexion commenced soon after the former returned to his native country from America, in the year 1800. At that period, Mr Cobbett opened a bookseller's shop in Pall-mall, under the emblematical insignia of the Bible, the Crown, the Cushion, and the Mitre, with the loyal device of "Fear God, and honour the King." Under such auspicious designations, Mr Cobbett recommended himself to the public as the publisher of literary works of the highest character. In such a situation, nothing was more likely than that Mr Wright should anticipate the most advantageous results, in point of character and respectability, from a connexion with this person. Under these circumstances Mr Cobbett sent forth the publication, which preselected, perhaps, some of the best specimens of style that ever adorned English literature. His sentiments upon morality, religion, and politics, then commanded the admiration of the whole nation. His sentiments with respect to Mr Thomas Paine's political and irreligious works (if he might so express himself) reflected the highest honour upon the motives which then influenced his conduct. His eloquent and powerful animadversions upon this person's efforts to subvert all government and religion in this country, and the consequences which marked his career during the French revolution, were the admiration of every reflecting and well-ordered mind. The learned gentleman proceeded to read an extract from the works of Mr Cobbett of that day, to shew the horror and contempt which he (the author) en-

tertained of Paine. At this period Mr Wright formed his connexion with Mr Cobbett, which continued until the year 1810, during which interval the plaintiff had been his most useful and active coadjutor in all the labours in which he was engaged. In 1816 Mr Cobbett was tried and convicted of a libel, published in his *Register*, upon the subject of military punishments. On that occasion, a negotiation was entered into by Mr Cobbett with the Government, for the purpose of arresting the judgment which awaited him, on condition of his discontinuing the publication of his *Register*. Mr Wright was his confidential agent upon that occasion; but the negotiation having failed, Mr Cobbett was sent to Newgate. In consequence of this, the *Register* proceeded, but in the mean time disputes arose between Mr Cobbett and Mr Wright, upon matters of pecuniary claims on the part of the latter, which ended not long after in open hostility. The negotiation with Government having failed, it was an object with Mr Cobbett, for the preservation of his popularity, to keep that matter out of view. Mr Wright was the only depository of this secret, except Mr. Reeves, a gentleman of high character, through whom the application was made to Mr Perceval, then Chancellor of the Exchequer. This circumstance, however, by some means was divulged, and Mr Cobbett, attributing the communication of it to Mr Wright, published the libel on the 4th of January 1817, which was one of the subjects of this action. The libel consisted of a letter published in the *Register*, and was occasioned in consequence of certain remarks published in *The Times* newspaper of the day, concerning Mr Cobbett's application to Government, to deprecate the sentence of the law. That

libel, without naming Mr Wright, sufficiently expressed Mr Cobbett's conviction that he was the channel of the information, and was couched in terms the most injurious to his character; and any person acquainted with the parties and their connexion must at once have come to the conclusion that Mr Wright was the object of the libel. That gentleman, however, thought the subject then unworthy of legal proceedings, from the obscure manner in which it was expressed, he being at that time desirous of withdrawing himself from public observation. In this state matters rested until the year 1818, when an election took place for the city of Westminster, for which there were several candidates, amongst others the late illustrious ornament of his country, Sir Samuel Romilly, Sir Francis Burdett, Mr Kinnaird, and a gentleman named Hunt. This latter gentleman was considered to be a popular candidate, and certainly in one sense he might be so considered, inasmuch as he (Mr Scarlett) understood that he was a very great favourite amongst the old women and children, who generally formed his audience. It had for a considerable time before been the study of Mr Cobbett in his writings to recommend this gentleman to the favour and good opinion of the citizens of Westminster, as a fit and proper representative of their sense in Parliament. In short, his object seemed to be, to write Mr Hunt up as the only man who could properly represent "the free and enlightened inhabitants of Westminster." On the occasion in question, a Mr Cleary, who interested himself in the success of Sir F. Burdett, being desirous of proving to the electors of Westminster that the opinion of Mr Cobbett was not always the same with respect to Mr Hunt's character and conduct, produced a letter,

written by Mr Cobbett in the year 1808, addressed by that gentleman to Mr Wright, in which were the following expressions :—

“ There is one Hunt, the Bristol man : beware of him : he lives with a w—— the wife of another man, with whom he is riding about the country ; a sad fellow. I have nothing to do with him.

“ Adieu. “ WM. COBBETT.”

This letter was read at the hustings, in order to show that Mr Hunt was not a person worthy of the honour to which he aspired ; and it produced the effect which might naturally be expected. The circumstance was afterwards communicated to Mr Cobbett, in America ; and at a meeting which took place at the Crown and Anchor Tavern upon the subject, Mr Hunt took occasion publicly to declare that the letter so produced was a forgery. The result with respect to Mr Cobbett's proceedings marked the temper of his mind, and showed a malignity of heart scarcely credible of a man possessing the powers and acquirements for which he had given him credit. He resorted, in the extremity of the situation in which he was placed, to a species of cruelty the most barbarous and unnatural. His conduct was like that of a man who, unable any longer to meet his antagonist in the fair field of argument, had recourse to the concealed dagger or the poisoned arrow. It was the artifice of a base and sordid mind, which, when unable to answer its adversary by the powers of reason, stopped all further argument, and charged its opponent with the commission of an atrocious crime. Who but a man of the most barbarous, unrelenting, and malignant passions could, even in the fever of personal anger and animosity, have heaped upon his enemy an imputation of a foul crime, which at the time he must have known to be

false ? And yet such were the circumstances under which Mr Cobbett wrote his second libel, which was the subject of this action. The learned counsel then proceeded to read the libel, which was in a letter addressed to Major Cartwright, “ on the *Rump Farce* at the Crown and Anchor, November 17, 1818, and particularly on the conduct of Sir F. Burdett, and that of Cleary and his associate Wright, with regard to the forgery,” from which the following extracts were read :—

“ It is the fate of feeble animals, when they get into mire, to bury themselves by their efforts to emerge ; a complete instance of which we have in the conduct of these associates on the 17th of November last. Mr Hunt, upon this occasion, produced my letter to the Editor of the *New York Evening Post*, declaring the letter read by Cleary at the hustings to be a forgery, done by himself, or got from a man who had in many instances been guilty of a similar offence.”

“ You, my dear sir, know the history of this Wright—you know all his tricks, all his attempts. The public do not ; and I will not now trouble the public with the detail, which, if put in a suitable form, would make a romance, in the words of truth, far surpassing any thing that ever was imagined of moral turpitude. I will execute this task one day or other. If the caitiff should put forth any thing by way of palliation, in the mean while there is Mr Walker—there is Mr Margrave—there is my attorney—there is Mr Swann—there is Sir F. Burdett himself—there is my son, John—who, though he was then a child, will never forget the big round drops of sweat that in a cold winter's day rolled down the caitiff's forehead, when he was detected in fabricating accounts ; and when I took Johnny by the hand (who had begun whim-

pering for poor Mr Wright) and said, "Look at that man, my dear! Those drops of sweat are the effect of detected dishonesty! Think of that, my dear child, and you will always be an honest man!" Mr Peter Walker and Mr Swann were present at this scene, which took place in my room in Newgate, in 1811."

"Oh! Oh! Now we have it out! Now we have before us the third accomplice in this vile transaction. That Wright was their accomplice is all I wanted to see proved, and now it is proved."

"Surely the immaculate being, preceded by the milk-white charger, will not attempt to maintain that the no less immaculate person who rode that charger had a moral right to use against Mr Hunt and a lady, and in favour of Sir F. Burdett, a letter—and such a letter gotten from a man who stood charged with defrauding the pretended author of the letter, and who stood so charged upon the oath of Sir F. Burdett himself."

The learned counsel then went on to read other parts of the libel, which charged Mr Wright with borrowing money in the name of the author, without his authority, &c.

Mr Hunt, who came into Court when the trial was called on, rose at this time with considerable warmth, and expressed a hope that the learned Judge would not allow him to be libelled by falsehood. The learned counsel had stated that he (Mr Hunt) had declared at a public meeting that the letter attributed to Mr Cobbett was a forgery.

The Lord Chief-Justice said, he had not heard the learned counsel make any such observation; he had merely read the libellous publication, as he had a right to do, and if it libelled any other person than the plaintiff, he was very sorry for it.

Mr Scarlett resumed, and com-

mented upon the atrocious character of the libel; and in alluding to Mr Cobbett's abuse of the powers with which by nature he had been endowed, said it was true that he might have the intellects of an angel, but they were those of a fallen angel. He then dwelt upon the question of damages, and contended that this was the only tribunal to which the plaintiff could apply for redress; which, if he could not find at their hands, it were better to blot the power of writing out of the catalogue of human talents. No doubt could exist of the responsibility of Mr Clement for the consequence of this publication, because he was the agent of a person who, from a distant clime, sent forth to the world an attack characterized by so much malignity.

J. Stenmor proved that he purchased the *Register*, containing the libel, at Mr Clement's shop.

George Granger gave like evidence with respect to the *Register*, containing the second libel, on the 6th of March 1819.

Mr Thomas Hansard, the printer, being shown the letter read by Mr Cleary at the Westminster election, swore positively that it was of the handwriting of Mr Cobbett.

Mr John Paul, an accountant employed to arrange accounts between Mr Wright and Mr Cobbett, also proved the same fact. Other witnesses deposed to the same effect.

Mr Adolphus then addressed the jury on behalf of the defendant. In reply to the topics addressed by the plaintiff's counsel to the jury, he said, that they were in no respect applicable to the present question, inasmuch as they were merely strictures upon the political character and conduct of Mr Cobbett, with which the defendant had nothing to do, he being a mere vender of the first libel. With respect to the second, he pro-

posed to offer evidence to show that the defendant had, long prior to that publication, directed his servants to discontinue the sale of *Cobbett's Register*, and that if any sale had taken place, it was in direct opposition to his order. With respect to the question of damages, the usual foundation in such cases had not been laid, the jury having been left wholly in ignorance as to who Mr Wright was, what good fame he had lost, or how, in any degree, he had been injured by the publication. It was impossible, he said, for Mr Clement to justify the libel, nor did he affect to rest his defence upon any such ground; because he rested his innocence solely upon the fact of his not having published the libel. But the jury would judge of Mr Wright's candour on this occasion, and of his title to damages, when it would be proved, that in two other actions against other publishers of the same libel, who had pleaded justifications, he had withdrawn his records, and put them into his pocket, without having courage to face an issue for trying the truth of those libels.

Mr John Sudbury, Mr Charles Clement, (brother of the defendant,) and Richard Mainwaring, were then called, and they proved that the defendant had positively interdicted them from selling *Cobbett's Register* at his shop several weeks prior to the 6th of March.

Mr Adolphus next proposed to prove the circumstance of the plaintiff having withdrawn his records in these actions against *Dolby* and *Hay*; but, although the fact seemed not to be disputed, yet he declined pursuing that course, upon a suggestion from Mr Scarlett, that a sufficient reason could be assigned for that step.

Mr Scarlett having replied at great length,

The Lord Chief-Justice stated the case to the jury, who retired for half an hour, and on entering the Court stated, that they found their verdict, on the first libel, for the defendant; and, on the 2d, for the plaintiff. Damages, L.500.

No. II.

PROCEEDINGS OF SOCIETIES.

ROYAL SOCIETY OF LONDON.

In consequence of the death of her Majesty, the ordinary business of the society was suspended during two meetings. The sittings were, however, resumed on Thursday the 5th of November, when Sir Everard Home read the *Croonian Lecture*.

November 12. Dr Brewster communicated a paper on the absorption of polarised light by doubly refracting crystals.

The annual meeting for the election of officers for the ensuing year, took place on November 30., when the following noblemen and gentlemen were elected :

PRESIDENT,

Right Hon. Sir Joseph Banks, Bart.
G. C. B. &c.

SECRETARIES,

William Thomas Brande, Esq. and
Taylor Combe, Esq.

TREASURER,

Samuel Lysons, Esq.

There remained of the old council,

Right Hon. Sir J. Banks, Bart.

William Thomas Brande, Esq.

Lord Bishop of Carlisle,

Taylor Combe, Esq.

• Sir Humphry Davy, Bart.

Sir Everard Home, Bart.

Samuel Lysons, Esq.

• George, Earl of Morton,

• John Pond, Esq.

William Hyde Wollaston, M. D.
Thomas Young, M. D.

There were elected into the new council,

J. P. Auriol, Esq.

R. Bingley, Esq.

Sir T. G. Cullam, Bart.

John, Earl of Darnley,

S. Davis, Esq.

Sylvester, Lord Glenbervie,

Major General Sir. J. W. Gordon, K. C. B.

Sir A. Johnston, Knight,

Reverend R. Nares,

Sir J. T. Staunton, Bart.

At this meeting, the Copley medal was voted to Mr (now Sir Robert) Seppings, for his various improvements in the construction of ships, communicated to the Royal Society, and published in their transactions.

December 10. and 17. Both these days were nearly occupied in reading a paper, by M. Theodore de Saussure, communicated by Dr Marcet, on the decomposition of starch by the action of air and water at common temperatures. A portion of starch simply boiled in water was exposed for two years under a glass jar in a temperature between 68° and 77°. At the end of that time about $\frac{1}{3}$ of it was found converted into saccharine matter, similar in its properties to the sugar prepared from starch by the action of sulphuric

acid. On observing this fact, the author was induced to examine more attentively the nature of the changes produced. He found, that besides sugar a species of gum was formed, as also a peculiar intermediate substance, which he denominated *amidine*, while a substance remained insoluble in water, which was probably starch somewhat altered in its properties; but the author was unable to determine whether the presence or absence of air affected the quantity of sugar obtained.

December 24. A paper by Capt. Duff, R. N. was read, on the antiseptic properties of peat-moss, as a preventive of the dry rot in timber. After stating the well-known effects of peat-moss in preserving wood unaltered for ages, the author suggests that a set of experiments should be made to ascertain the effects of impregnating timber with the water from peat-mosses.

January 14. 1819. Sir Everard Home read a paper on the Corpora Lutea. Before puberty the texture of the ovarium is loose and open, and contains globular cells; after puberty the corpora lutea are found in the substance of the ovarium. The ova are formed in the corpora lutea, and, according to Sir E., exist anterior to sexual intercourse: when the ova are formed, the corpora lutea are destroyed by absorption, whether the contained ova are impregnated or not. Sir E. thinks, that impregnation is necessary to the expulsion of the ova, and that the corpus luteum is burst by extravasated blood, its cavity, after the escape of the ovum, being found distended with coagulated blood. When impregnation does not take place, the ovum remains in the cavity of the corpus luteum; from which the author thinks that the ovum is impregnated in the ovarium itself.

January 21. There was read a paper by Dr T. Young, entitled, "Remarks on the Advantage of Multiplied Observations in the Physical Sciences, and on the Density of the Earth." Having made some observations on the application of the doctrine of chances to the physical sciences, the author showed that the combination of many different causes of error, each liable to change, has a tendency to diminish the aggregate variation of their joint effect. From calculation he then inferred, that the original conditions of the probability of different errors do not considerably modify the conclusions respecting the accuracy of the mean result, because their effect is included in the magnitude of the mean error, from which these conclusions are deduced. He also showed, that the error of the mean arising from this limitation is never likely to be greater than six-sevenths of the mean of all the errors, divided by the square root of the number of observations. In speaking of the density of the earth, Dr Y. attempted to show, that the general law of compression is quite sufficient to explain the greater density of the interior of the earth, and that this law, which is true for small pressures, in all substances, and universally in elastic fluids, requires some modification for solids and liquids, the resistance of these increasing faster than the density; for no mineral substance, he observed, is sufficiently light and incompressible to afford a sphere as large as the earth, and of the same specific gravity, without such deviation from the general law. A sphere of water or of air would be still more dense; and the moon, if she contained such cavities, would soon have absorbed her atmosphere, had she ever possessed any. The paper concluded with some remarks on Euler's formula for the rolling pendulum, in

which the perfect accuracy of Laplace's theory for the length of the convertible pendulum rolling on equal cylinders was shown.

January 28. A paper by Captain W. J. Webbe was read, entitled, "Memoir of a Survey of the Province of Keemaon." Among a variety of other matter, this paper contained an account of the heights of many of the snowy peaks of the ridge from which the Dneiper, Don, and Volga, descend on the European side, and the Ganges and Indus on the Asiatic; and appended was an extensive catalogue of the latitudes, longitudes, and elevations of places and stations in the province of Keemaon.

At this meeting was also read a paper by Professor Aldini, entitled, "An Experimental Inquiry upon Gas Light on the Continent, with some observations upon the present state of the Illumination of London." The author suggested, that where coals could not be obtained, turf might be substituted; also the refuse bark of tan-yards, pitch, tar, petroleum, and oil; and pointed out the possibility of employing hydrogen from the decomposition of water for augmenting the quantity of gas.

February 4. A paper by W. Bain, Esq. was read on the dangers to which navigation is exposed, by navigators neglecting to make the local attraction on shipboard, an element of calculation.

A paper was next read by W. Scoresby junior, Esq. on the anomaly of the magnetic needle, as observed on shipboard. Captain Flinders first pointed out the anomalous variation caused by the attraction of the iron of the ship. The author stated his observations on the same subject in the years 1815 and 1817, upon the coast of Spitzbergen, select tables of which observations were given. To

these were added, some general inferences upon the subject, deduced at the time of observation.

Two other communications were read; one on the genus *Ocythoe*; and the other on the extraction of roots. Neither appears to have been of much value.

February 11. Captain J. Ross, R. N. read a paper on the variation of the compass. This subject had particularly engaged his attention during his late voyage to the Arctic regions; and he detailed his experiments in the order in which they were made. From these, he concluded that every ship has a peculiar attraction affecting her compasses, the exact amount of which it is difficult to ascertain. This attraction is not progressive, but irregular.

February 25. Sir H. Davy read a paper on the formation of mists in particular situations. He observed that the force of temperature after sunset is greater on land than on water; and referred to the well-known peculiarity in the expansibility of water at temperatures below 40°, as the cause by which both the water and the superincumbent air are preserved at a superior temperature. When therefore the cold and comparatively dry air mixes with the warmer and moister air resting on the water, the consequent diminution of the temperature of the latter has a tendency to separate a portion of its moisture in the form of mist.

At this meeting also, a paper was read by Captain Sabine, entitled, "Observations on the Dip and Variation of the Magnetic Needle, and on the intensity of the Magnetic Force, made during the late voyage in search of a North-West Passage." The author stated, that the dipping needle employed in these observations was similar to that described by Mr Cavendish, and made by the same artist.

In determining the intensity of the magnetic force, a magnet was employed to draw a needle to the horizontal position. The magnet was then removed at an observed moment, and the needle permitted to oscillate till the arcs became too small to be observed. At every tenth vibration, both the arc and time were noted. The azimuth compasses employed by Captain S. to determine the magnetic variation were made upon Captain Kater's improved plan. The observations were generally made upon the ice, to avoid the great irregularities produced on board by the iron of the ship. The results of the different classes of observations were arranged in a tabular form.

March 4.—A paper was read by Dr Brewster on the action of crystallized surfaces on light. Malus has remarked, that the action exerted upon light by the first surface of Iceland spar is independent of the position of its principal section; that its reflecting power extends beyond the limits of the polarising forces of the crystal; and that as light is only polarised by penetrating the surface, the forces which produce extraordinary refraction begin to act only at this limit. He also remarked, that the angle of incidence at which the spar polarises light by partial reflection is $56^{\circ} 30'$; and that whatever be the angle included between the plane of incidence and the principal section of the crystal, the ray reflected by the first surface is always polarised in the same manner. After stating these observations, Dr B. proceeded to observe, that his experiments upon the subject led him to draw different conclusions, and seemed to indicate that the polarising forces extend beyond the crystal. He also showed that the force of double refraction and polarisation originate

from the surface of bodies, though its intensity depends upon the inclination of the surface to the axis of the crystal; that the change in the angle of polarisation produced by the interior force, depends upon the inclination of the reflecting surface to the axis of the crystal, and upon the azimuthal angle which the plane of reflection forms with the principal section; and that the change in the direction of the polarisation depends upon the angle which the incident ray forms with the axis of the crystal.

March 11.—A paper by C. Bonnycastle, Esq. was read, entitled, "On the pressures which sustain a heavy body in equilibrium, when the points of support are more than three." The author observed, that there is no method, purely mathematical, by which the difficulties involved in this problem can be surmounted; but by considering the circumstances under which the pressure is usually generated, we may be enabled to discover the law of its distribution, and this law must always govern its proportional quantities and intensities. The paper concluded with an investigation of the case when the number of points of support is infinite, or, in other words, consists of a line or plane surface.

April 1.—A paper by Dr Brinkley was read, entitled, "Results of Observations made at Trinity College, Dublin, for determining the obliquity of the ecliptic, and the maximum of the aberration of light." After some general observations, the author proceeded to consider the opinion of astronomers, that observations of the winter solstice have given a less obliquity than those of the summer,—an opinion sanctioned by the observations of Maskelyne, Arago, and Pond, but questioned by Bradley. Dr B. referred this differ-

rence to some unknown modification of refraction, and stated that he has observed, at the winter solstice, that the irregularity of refraction from the sun is greater than from the stars at the same zenith distance; whence he inferred the necessity of paying greater attention to the observations made at the winter solstice. The author next stated, from his own observations, the maximum aberration of light for last year to be 20.80".

Another paper was likewise read, on some New Methods of investigating the sums of several classes of Infinite Series, by C. Babbage, Esq. From the nature of the subject, this paper did not admit of being read in detail; but the object of the author appears to have been to explain two methods of finding the sums of a variety of infinite series. The author stated, that results nearly similar to his own had been obtained by MM. Poisson and Lagrange, but neither of these mathematicians had explained the causes of the errors to which their method was liable, or given a method of correcting them.

April 22.—A paper by Captain J. Anderson, R. N. was read, entitled, "Some Observations on the Peculiarity of the Tides between Fairleigh and the North Forceland, with an explanation of the supposed meeting of the tides near Dungeness." After some general remarks on the common opinion, respecting the meeting of the tides between Dungeness Point and Rye Harbour, Captain A. proceeded to describe the peculiarity of the channel at that point, and its very sudden contraction between Dungeness and Cape d'Alpréc, and between the South Forceland and Calais Point. In consequence of this contraction, the western tide, according to Captain A., meets with a resistance in its course at Dungeness and Cape d'Al-

préc, from which the water must continue to accumulate until it deepens and widens the channel, so as to become adequate to its discharge. To this accumulation the author chiefly referred the peculiarities in the rise and fall of the tides in the neighbourhood of the above-mentioned places. The formation of the coast, by gradually altering the course of the tides between the South Forceland and the Buoy of the Nôre, from E. N. E. to W. N. W., occasions a gentle blending of the waters, so that there is a strong eddy about the Kentish Knock, and a foaming ripple where they meet and proceed together.

At this meeting a paper was also read, by Sir E. Home, on the Owa of the opossum tribe.

A paper, entitled, "A case of a Blue Child, with the Dissection," was read, by J. R. Wood, Esq. This child lived twenty-one months. On removing the pericardium after death, a large vein was observed descending on the left side of the thorax, and terminating in the right auricle of the heart, in which the superior vena cava was also terminated by a distinct opening. The auricle was large, and the foramen ovale pervious. The aorta and pulmonary artery arose from the right ventricle, the cavity of which was likewise large and strong, and had no communication with the left except by a foramen through the septum which divides the ventricles.

At this meeting a paper was likewise read by W. Morgan, Esq., entitled, "Observations on the New System of Diagonal Framing, introduced into H. M. Navy by R. Sepplings, Esq." (now Sir Robert Sepplings.) The author approved highly of the principles of this celebrated naval architect, and pointed out the great advantages arising from their adoption in practice.

April 29.—A paper was commenced by Dr Brewster, on the optical and physical properties of Tabasheer.

May 6.—Dr B's. paper was concluded. The Doctor entered at great length into the various properties of this substance, and detailed Mr Meron's experiments with the view of determining the power of tabasheer to absorb different fluids, and of ascertaining the corresponding effects produced upon its optical properties, specific gravity, &c.

May 13.—A paper by T. A. Knight, Esq. was read, on the different qualities of trees felled in spring and winter. From his experiments and observations, the author concluded, that in order to give durability to the alburnum of oak, the tree should be barked in spring, and felled in the ensuing winter.

May 20.—At this and the previous meeting a paper by Dr Marcet was read, "On the Specific Gravity and Temperature of Sea Waters in different parts of the Ocean and in particular Seas; with some account of their Saline Contents." The object of this paper was to determine the general properties of sea waters in different parts of the ocean and at different depths, with the view of ascertaining whether they differed from one another, and in what respects. After some preliminary remarks, Dr M. proceeded to describe the instruments which had been contrived to raise water from different depths, or from the bottom of the seas when practicable, and which had been employed in collecting the different specimens. The three great points kept in view in the course of the examination were their specific gravity, their chemical composition, and their temperature, when this could be ascertained; and the author gave a circumstantial detail of the precautions attended to in the investigation of

these important points. The results of the author's numerous observations and experiments were arranged in the form of tables, and consequently do not admit of being detailed. The general conclusion from the whole was, that the composition of sea waters in all parts of the ocean is very nearly the same, both in respect to the nature of the saline matters, and their relative proportions to one another; and that they only differ from one another, with respect to the absolute quantities of salt they contain. In the course of the paper, the following interesting facts were mentioned. Dr M. had been furnished with specimens of sea water from both the late Arctic Expeditions; and on comparing the labels attached to them, he found that in the Greenland seas, the temperature, as ascertained by Lieutenants Franklin and Beechy, uniformly *increased* with the depth; while in Baffin's Bay, according to the observations of Captain Ross and Lieutenant Parry, it was constantly *diminished*. Dr M. also found that specimens taken from the surface were generally not less saline than those taken from great depths, unless the surface had been lately thawed, when the quantity of saline matter was found to be much diminished. In speaking of the composition of sea waters, Dr M. stated the important discovery of Dr Wollaston, that they uniformly contained *potash*. The proportion of this alkali present Dr W. estimates at somewhat less than the $\frac{1}{20000}$ th part of water at its common density; and he supposes it exists in the state of sulphate.

June 10, 17, and 24.—These three meetings were occupied in hearing read a paper by Captain H. Kater, entitled, "An account of Experiments for determining the length of the Pendulum vibrating seconds at the principal stations of the Trigon-

metrical Survey." The author commenced by noticing the reasons which induced him to undertake the experiments forming the subject of his present report; and afterwards proceeded to describe the apparatus employed. The operations at each station were then minutely detailed, and the results stated at length, and illustrated by numerous tables.

For the latitude of London, the length of the pendulum vibrating seconds, on the scale forming the basis of the Trigonometrical Survey, was stated to be 39.13722 inches.

For the latitude of Unst, 39.16939

Portsoy, - - - 39.15952

Leith Fort, - - - 39.15347

Clifton, - - - 39.14993

Arbury Hill, - - - 39.14043

Shanklin Farm, - - 39.13467

The calculations of the latitude of each of these stations were then given at length. The latitude of Arbury Hill, which had been supposed erroneous, was found by Captain K. to be correct. The whole was concluded with some observations on the figure of the earth.

It appeared from this report, that excepting the allowance for the height above the level of the sea, the error in the vibrations of the seconds pendulum at any particular station did not amount to $\frac{1}{10}$ th of a vibration, which is about equal to the 400,000th part of the length; consequently that the amount of gravitation could be determined to this degree of accuracy. Now this is so near as to indicate the different degrees of density of the materials constituting the substrata of the different stations in a country selected for experiment. Hence Captain K. concluded, that minute differences in density, indicated by the pendulum, are often to be referred to irregularities of attraction; thus the sudden increase of gravitation at Arbury Hill, was sup-

posed by the author to be produced by the granite existing in Mount Sorrel in Leicestershire. Captain K. stated that he had learned with pleasure, that M. Biot's results with respect to the acceleration of the pendulum between London and Unst agreed with his own to within 0.6".

July 1.—A paper was read, on the causes which influence the direction of the Magnetic Needle, by Captain J. Burney, R. N. The author, after relating a variety of experiments, appeared to conclude, that the compass is governed partly by *polarity*, which he considers as created by motion, and the primary cause of the needles pointing north and south, and partly by *attraction*, which is inherent in matter; the former of which is constant, the latter variable. On these principles the author attempted to explain why the needle is most liable to be disturbed in high latitudes by attraction, the obliquity of the plane of the earth's rotatory motion to the horizon being here greater, and hence the polarity of the needle diminished.

At this meeting also a paper was read by Arthur Jacob, M. D. of Dublin, giving an account of a new membrane discovered in the eye. The author described a delicate transparent membrane covering the external surface of the retina, and united to it by cellular substance. The paper was concluded by pointing out the best method of detecting and examining it.

The titles of the two following papers were also read, but from the nature of the subject did not admit of being read in detail. "On the Theory of Capillary Attraction," by J. Ivory, Esq.; and "on a New Method of solving Numerical Equations of all Orders by continuous Approximation," by W. G. Horner, Esq.

The society then adjourned till November.

ROYAL INSTITUTE OF FRANCE.

In the public sittings of the 22d of March 1819, a notice was read by M. Biot, on the continuation of the labours undertaken to determine the figure of the earth, and upon the results of the experiments on the pendulum, made in 1817, at the Shetland Islands, by himself and others.

At first, it was merely known that the earth was of a round figure, which was easily ascertained by the circular form which its shadow presents when projected on the moon's disc during an eclipse. Newton afterwards discovered, by his calculations, that it was not completely round, but somewhat flattened at the poles, and protuberant at the equator. The methods of observation, yet imperfect, have, after great difficulty, established this truth, which has been at last obtained by measuring degrees of the meridian under the most distant latitudes, namely, at the equator and near the poles. The flatness of the poles was thus put beyond doubt. The operations prosecuted for the last fifty years in France, England, Sweden, America, and India, have succeeded in determining nearly its precise quantity. The measurement of the arc of the meridian comprehended between Dunkirk and Barcelona, and accomplished with infinite precision by MM. Mechain and Delambre, was the foundation upon which the new system of French measures was constructed. The desire of communicating greater precision to these results, caused this first arc to be prolonged across Spain as far as the Balearic Isles*; and it became a part of an immense triangle above the Mediterranean. In fine, the same

motive caused the French Government to seize with avidity the opportunity offered, two years ago, of seeing this operation, already so grand, extend itself towards the north to nearly equal extent, in uniting with a portion of the same meridian, which stretches from the southern coast of England as far as the Shetland Isles, to a higher latitude than St Petersburg; a portion which the scientific men of England have been now twenty years occupied in measuring.

In order to terminate this immense arc, which comprehends almost the fourth part of the distance from the equator to the pole, there remained nothing, last year, but to construct some triangles between the Shetland Isles and Scotland, by the medium of the Orkneys, and to connect the operations of the English and the French at the point of junction, Dunkirk, by means of a system of combined operations, in which the instruments employed by the observers of the two nations should be made to co-operate.

This last labour was executed in the preceding autumn. MM. Arago and Biot went to receive, at Dunkirk, the English observers, MM. Mudge, Colby, and Gardner, who brought with them the grand astronomical sector constructed by Ramsden, which they had made use of in all their preceding operations: and the French, on their part, brought one of their repeating circles.

At Dunkirk this fine instrument was, by the desire of the observers, placed within the marine arsenal. The English brig the *Investigator*, which had conveyed it thither, was also to bring it by the docks to the place where it was to be employed,

* Under the name Balearic, we have followed the ancient, and the latest of the modern geographers, in including not merely Majorca and Minorca, but Iviça, with its contiguous cluster of islets, of which Formentera, where these geodetical operations were prosecuted, is one. Iviça, however, with its dependencies, constitutes the "Iles Pithiuses" of M. Biot.

and remain there ready to take it back. The French Mathematicians placed their little repeating circle at a short distance off, in a shed which the administration of marine had directed to be constructed for them. There, owing to a continuation of good weather, so little time was left for relaxation, that all the observations were finished in fifteen days; and when completed, were found to agree in a surprising manner, if the different nature of the processes be considered; and what is still more fortunate, they were found also to accord perfectly with those which M. Delambre had formerly made in the same place, at the commencement of his operations; whence results the double assurance, that the arcs of France and England are thus perfectly connected with each other; while the observations made on the other points of the two arcs, by similar processes, afford all the precision which can be desired.

As it was expedient that the point of junction of the English and French operations might always be re-ascertained, MM. Arago and Biot resolved to erect some lasting monument. The city of Dunkirk freed them from this care. A little marble column, surmounted with a spire, is to be erected in this place, and a short inscription will record the object of the operation, with the names of the observers of the two countries. At the Shetland Isles, the extremity of the great arc has been marked in like manner, in the garden of Mr Edmonstone, by a little monument which he has caused to be erected in the place where the observations were made. In Spain, in the isles called Balearic, the southern extremity of the arc is consecrated by a cross.

* These operations refer to the first of the methods by which the figure of the earth may be determined. The

other method, which employs the measure of a pendulum, had, together with the preceding, been practised on all the points of the arc. An account had last year been given, of a tour made in England, Scotland, and the Shetland Isles, to carry the apparatus of the pendulum over the whole extent of the English arc. The English government, which had favoured this operation, naturally desired that it should be executed, in like manner, by an observer of their own nation. Captain Kater, member of the Royal Society London, an experimentalist singularly exact, and author of an excellent memoir on the length of the pendulum vibrating seconds in the latitude of London, was deputed for this purpose. With much precaution, he conveyed to Edinburgh and the Shetland Islands, a solid pendulum, of an invariable form, the diurnal rate of which he had previously determined at London; and the oscillations of which he had also observed in these different places. It is the same operation which Capt. Freycinet was to execute, in his voyage round the world, with pendulums constructed under the direction of M. Arago. Capt. Kater was received at the Shetland Islands by the same Mr Edmonstone who had received M. Biot with such obliging hospitality two years before. He made his observations in the same place where M. Biot did, with the same assistance and with the same accommodations. The observations of Captain Kater have been found to accord in a remarkable degree with those of M. Biot, as was ascertained by mutual comparison. Having thus the lengths of the pendulum measured by an uniform process upon the same meridian from Formentera, the most southerly of the Balearic Islands, to Unst, the most northerly of the Shetland Islands, and not only in these two islands, and in a great

number of intermediate points, the flatness of the earth can, by these lengths, be determined with great exactness. The amount resulting is found to be exactly the same as that derived from the lunar inequalities, or from the comparison of terrestrial degrees measured at very distant latitudes; so that all these methods, so different in their progress, so distinct in their processes, definitively terminate in this one result—the flatness of the earth; namely, the excess of the equatorial above the polar radius; the excess of the former above the latter amounting to a quantity intermediate between $\frac{1}{33}$ and $\frac{1}{31}$. The difference of these extreme values, between which the truth lies, will hardly give a hundred toises, more or less, on the half of the axis which passes through the poles of the earth; and from the number and exactness of the diversified observations by which this truth has been established, there can no longer be room for discussion on the subject.

Alexander Count Humboldt submitted to the Institute a curious paper, on the laws observed in the distribution of vegetable forms over the globe. Botany, long confined to the description of the external forms of plants, and their artificial classification, now presents several branches of study, which place it more on a footing with the other sciences. Such are the distribution of vegetables, according to a natural method founded upon the whole part of their structure; their physiology, which displays their internal organization; their botanical

geography, which assigns to each tribe of plants their height, limits, and climate. The terms alpine plants, plants of hot countries, plants of the seashore, are to be found in all languages, even in those of the most savage nations on the banks of the Orinoko, and prove that the attention of men has been constantly fixed on the distribution of vegetables, and on their connexion with the temperature of the air, the elevation of the soil, and the nature of the ground which they inhabit. It does not require much sagacity to observe, that on the slope of the high mountains of Armenia, vegetables of a different latitude follow each in succession, like the climates, superimposed, as it were, upon each other.

The vegetables, says M. Humboldt, which cover the vast surface of the globe, present, when we study their natural classes or families, striking differences in the distribution of their forms. On limiting them to the countries in which the number of the species is exactly known, and by dividing this number by that of the glumaceæ, the leguminous plants, the labiated, and the compound, we find numerical relations which form very regular series. We see certain forms become more common, from the equator towards the pole, like the ferns, the glumaceæ, the ericææ, and the rhododendra. Other forms, on the contrary, increase from the poles towards the equator, and may be considered in our hemisphere as southern forms: such are the rubiaceæ, the malvaceæ, the euphorbiaceæ, the leguminous, and the composite plants*. Finally, others attain their

* For the convenience of such of our readers as have not made descriptive botany a particular study, we shall here subjoin the translation of the names of some of the most common plants which characterise the tribes or families most frequently the subjects of discussion in Baron Humboldt's memoir: *Juncæ* (rushes); *cyperaceæ* (hard or moor grasses, cotton-grass); *gramineæ* (corn, grasses); *compositæ* (gandelion, thistle, sunflower); *leguminosæ* or *papilionaceæ* (vetches, pease, clover); *rubiacæ* (rennet, madder); *euphorbiacæ* (sun-purge, dog's mercury); *labiatæ* (mint, thyme, rosemary); *malvacæ* (mallows, hollyhock);

maximum even in the temperate zone, and diminish also towards the equator and the poles; such are the labiate plants, the amentaceæ, the cruciferae, and the umbelliferae. The grasses form in England 1-12th, in France 1-13th, in North America 1-10th, of all the phanerogamous plants. The glumaceæ form in Germany 1-7th, in France 1-8th, in North America 1-8th, in New Holland, according to the researches of Mr Brown, 1-8th, of the known phanerogamous plants. The composite plants increase a little in the northern part of the new continent; for, according to the new Flora of Pursch, there is between the parallels of Georgia and Boston 1-6th, whereas in Germany we find 1-8th, and in France 1-7th, of the total number of the species, with visible fructification. In the whole temperate zone, the glumaceæ and the composite plants form together nearly one-fourth of the phanerogamous plants; the glumaceæ, the compositæ, the cruciferae, and the leguminosæ, together, nearly one-third. It results from these researches, that the forms of organized beings are in a mutual dependence; and that the unity of nature is such, that the forms are limited, the one after the other, according to constant laws easy of determination.

The number of vegetable species described by botanists, or existing in European herbals, extends to 44,000, of which 6000 are agamous. In this number we had already included 3000 new phanerogamous species enumerated by M. Bonpland and myself. France, according to M. Decandolle, possesses 3645 phanerogamous plants, of which 460 are glumaceæ, 490 composite, and 230 leguminous, &c. In

Lapland there are only 497 phanerogamous plants; among which are 124 glumaceæ, 58 composite, 14 leguminous, 23 amentaceous, &c.

Mr Pursch has made us acquainted with 2000 phanerogamous plants which grow between the parallels of 35° and 44°; consequently, under mean annual temperatures of 16° and 7°. The Flora of North America is a mixture of several Floras. The southern regions give it an abundance of malvaceæ and composite plants; the northern regions, colder than Europe, under the same parallel, furnish to this Flora abundance of rhododendra, amentaceæ, and coniferæ. The caryophylleæ, the umbelliferae, and the cruciferae, are in general more rare in North America, than in the temperate zone of the Old Continent.

These constant relations observed on the surface of the globe, in the plains from the equator to the pole, are again traced in the midst of perpetual snows on the summits of mountains. We may admit, in general, that on the Cordilleras of the torrid zone, the boreal forms become more frequent. It is thus that we see prevail at Quito, on the summit of the Andes, the cricæ, the rhododendra, and the gramineous plants. On the contrary, the labiatae, the rubiaceæ, the malvaceæ, and the euphorbiaceæ, then become as rare as they are in Lapland. But this analogy is not supported in the ferns and the composite plants. The latter abound on the Andes, whereas the former gradually disappear when they rise above 1800 fathoms in height. Thus the climate of the Andes resembles that of northern Europe only with respect to the mean temperature of the year. The repartition of

umbellifera (carrot, hemlock, chervil, caraway;) *crucifera* (mustard, cresses, radish, turnip.) The great mass of plants which cover the globe is divided by botanists into *phanerogamous* (those having visible flowers,) and *cryptogamous*, or *agamous* (ferns, lichens, mushrooms.)

heat into the different seasons is entirely different, and powerfully influences the phenomena of vegetation.

It has been long known, and it is one of the most interesting results derived from the geography of animals, that no quadruped, no terrestrial bird, and, as appears from the researches of M. Latreille, almost no insect, is common to the equatorial regions of the two worlds. M. Cuvier is convinced, by precise inquiries, that this rule applies even to reptiles. He has ascertained, that the true boa constrictor is peculiar to America; and that the boas of the Old Continent were pytons. Among the plants, we must distinguish between the agamæ and the cotyledonæ; and by considering the latter, between the monocotyledons and the dicotyledons. There is no doubt that many of the mosses and lichens are to be found at once in equinoctial America and in Europe. But the case is not the same with the vascular agamæ as with the agamæ of a cellular texture. The ferns and the lycopodiaceæ do not follow the same laws with the mosses and the lichens. The former, in particular, exhibit very few species universally to be found; and the examples cited are frequently doubtful. It is absolutely false, although it has been often affirmed, that the ridges of the Cordilleras of Peru, the climate of which has some analogy with the climate of France or Sweden, produce similar plants. The oaks, the pines, the yews, the ranunculi, the rose-trees, the alchemilla, the valerians, the stellaria, the draba of the Peruvian and Mexican Andes, have nearly the same physiognomy with the species of the same genera of North America, Siberia, or Europe. But all these alpine plants of the Cordilleras, without excepting one among three or four thousand which we have exa-

mined, differ specifically from the analogous species of the temperate zone of the Old Continent.

1.—*Report on the State of Hydraulic Architecture in Great Britain; from the Work of M. Dupin, by Messrs GERARD, ARAGO, & PRONY.*

Military Ports.—The arsenal at Deptford is the least considerable of all the military establishments. That at Woolwich is much more worthy of notice, as it is more spacious, and, by its position, more adapted for the construction of large vessels of war.

From 1789 to 1799, three millions and a half of francs were expended on the construction of basins, dépôts, and workshops, for masts of ships only.

At Woolwich, M. Dupin observed a shed sheltered by a roof, the iron-work of which was covered with sheets of the same metal. He also describes a new forge, constructed on the plan of Mr Kennie, and on a very large scale, the bellows and hammers of which are put in motion by three steam-engines. Anchors are manufactured there, and all large pieces of iron cast and hammered which are necessary for the works of ports.

The arsenal of Sheerness offers works much more worthy of notice than those at Woolwich. Built on a swampy island formed by the conflux of the Thames and Medway, it was necessary, in the first instance, to close up a factitious ground with the carcases of old vessels sunk in the mud, side by side. A short time since government bought the half of the town, and have taken down the houses to enlarge the arsenal. They have also built, along the Medway a

magnificent quay of Cornwall granite, upon piles sunk forty-eight feet below the surface of the water.

At these works, they were busily employed when M. Dupin saw them. He describes very minutely the difficulties they had to overcome, in draining the water, driving the piles, and building under water, by means of the diving-bell. The working of this bell is effected by geometrical movements, parallel with three co-ordinate rectangular axle-trees, by means of iron notched roads, and wheeled notched carriages. It can be conveyed to any part under water without its being necessary to see it.

Behind the new quay at Sheerness they have built depôts for masts and docks, well worthy of notice. According to the custom of the English, the masts are preserved under water. They are ranged in piles, on floors formed by beams horizontal and parallel with each other, in contiguous harbours. Double sluice-gates before these harbours permit them to be full at low as well as at high water, and to be emptied at will; so that masts may be taken away or carried there. In fine, after the disposal of these masts, by separate parallel plans, you can draw away or place any piece you wish, without being forced to derange the others. The water is drained from these docks by chain-pumps, put in action by a steam-engine of fifty-horse power.

Vessels may enter at high tide; but except in pressing cases, they wait until the tide is low, to drain off the water. They begin by opening the flood-gates, which allow it to escape from the docks, and then there is but very little water to pump off.

These magnificent works, executed in granite of Cornwall to be more durable, will be completed in ten years, and cost ten millions of francs.

The arsenal of Chatham also pre-

sents some new important hydraulic constructions. The old docks, which were in wood, are rebuilding on a very large scale in Portland stone. The old wooden docks did not close with gates on turning their hinges, but with three great wooden pannels, set at low water, and kept in their places by solid stanchions. They propose to enlarge the arsenal at Chatham very much: in fact they wish to double it, by taking advantage of a spacious island formed before the old part by the conflux of the Medway. The new part they intend solely for the building of new ships, and the other for re-fitting the old ones. Thus, in spite of the colossal grandeur of the English navy, government aspire still higher; and, in the calm of peace, display more and more the essential elements of naval war.

The arsenal of Chatham contains a fine workshop of sawing, recently established by Mr Brunel. It is built on an eminence. The woods for sawing arrive by a subterraneous canal, at the bottom of a well, which empties itself near the workshop. The pieces of wood are raised by a counterpoise formed by the water proceeding from the cooler of the steam-engine, which puts the saws in motion. This water, generally lost, is at times useful. A frame, of very curious construction, carrying a double crane, put in motion by the steam-engine, the universal agent of the sawing-machine, ascends and descends upon a curved surface of 300 metres long, and takes away from, and brings back, the pieces of wood from their respective piles to the workshop for sawing. The arsenal at Chatham offers, moreover, several methods by which a great body of water is immediately conducted to any given point, to burst upon a fire.

The arsenal at Portsmouth is the

most important and the largest of all the naval establishments. It contains a college for the officers of the navy and builders of vessels, workshops, where they manufacture the principal objects of art in iron and copper, as well as all the blocks made use of on board the ships of war, each article being manufactured on one general and unique model. Under the shop where the blocks are made, there is a very large and deep reservoir, communicating by pipes to the principal docks. This reservoir is generally dry. When a ship enters a dock to be repaired, it is immediately shut in; then they open a flood-gate, which allows the water it contains to flow immediately into the reservoir; afterwards, the steam-engine of the block workshop draws off at leisure the rejected waters into the deep reservoir, and they have, as is seen, the great advantage of drawing off the water in a few minutes, when they wish to repair the ship; which in many instances is an incalculable advantage.

The last arsenal described by the author, is that of Plymouth, which they were obliged to enlarge by undermining a huge rock, upon which the town that surrounds this establishment is built. The most important work that has been executed there is the Breakwater.

Commercial Ports.—The works of the establishments of the commercial ports, the properties of private associations, and with which government has no concern, are still more astonishing than those we have just described. It is impossible, in a simple detail, to enumerate the whole of the establishments and their works; we must therefore confine ourselves to the most remarkable.

The author sets out from the left bank of the Thames, and follows, to the north, the eastern coast of Eng-

land and Scotland, to the Caledonian Canal, the boundary of the works of art to the north of Great Britain. He coasts this canal; and, gaining the western coast of Scotland, follows it in a southern direction, then arrives at the western coast of England, by which he attains the most southerly point, and returns to London, after visiting all the coast which lies opposite to France.

Kingston-on-Hull is a rectangle, surrounded by two rivers, having two large basins already dug; and a third, which is to be commenced forthwith. The works of these basins are built upon an extremely muddy soil. That which requires particular means, more or less ingenious, the author offers a remarkable example of, in the description of the inverted arches, at present used for the foundation of the walls of the new entrance of the old basin. He describes, very minutely, the construction of the bridge at Sunderland, of which he gives a detailed plan;—and all the hydraulic machines used at Hull and Sunderland. He gives curious and interesting details on the inclosures (*embarcadères*), which are used to shoot coals and lime from the waggons; whence they are conveyed, on iron railways, to the vessels lying along the quays. These iron roads are themselves objects of numerous observations.

The traveller also visits and describes the light-houses of Sunderland, Tynemouth, and Berwick. At Newcastle he examines several important manufactures; then proceeds to Scotland; describes the capital, its civil establishments, buildings, monuments, &c.; and treats very minutely of the works at Leith, contiguous to that city.

At Dundee, on the Tay, works still more grand give a new existence to that port.

The Lighthouse of the Bell-Rock, near Arbroath, completed only seven years ago, has been very fully treated of by the author, who explains the nature of the difficulties they had to overcome in its execution, and the means employed to effect this purpose.

The ports of Montrose, Aberdeen, and Peterhead, are the most considerable to the north of the Bell-Rock, and those to which M. Dupin pays the greatest attention.

The principal port on the western coast of Scotland is that of Glasgow, to which must be added the stations of Port-Glasgow and Greenock. Glasgow presents a number of public works, remarkable for the genius of their invention and for their utility; as also various manufactures on a great scale.

To the south of Glasgow they are busily employed in various works, the object of which is to form new ports, or to improve the old ones; but all these works, notwithstanding their number and importance, are as nothing compared to those of Liverpool. In a space of more than two miles, a double row of large docks is not sufficient to contain all the ships which form the commerce of this town: it is necessary to make new ones, and rebuild the old ones, to make them more spacious. These works, designed by (the late) Mr Rennie, are executed with the most perfect means that the progress of art has been able to furnish.

New machines, the constant employment of the steam-engine, the iron roads, and the division and order of work, alternately attract the attention of the author.

He follows the course of the Mersey, which passes Liverpool, until he arrives at the very remarkable entrance of the canal of the Duke of Bridgewater. He details the works of

that entrance; and the iron chain-bridge, which is to be thrown over the Mersey. He then passes to the canals of Chester and Nantwich, and above all, that of Ellesmere, of which he describes the aqueducts. One of these aqueducts, carrying a bark, is in iron, and a thousand feet long.

After London and Liverpool, Bristol is the first maritime city in England. There you will find machines and newly-constructed forges, well worthy of being studied; but these subjects are very inferior to those which the works executed for the city and the port of London present for observation since the beginning of the last century:—Docks of a vast extent, capable of containing vessels of the greatest tonnage, are surrounded by magazines built on purpose, and inclosed by immense walls, to form so many free and independent ports, distinctly destined for the service of the two Indies, Antilles, and Europe; a bridge of 400 metres, or 434 yards in length, built of granite; and another, in iron, of only three arches, in length more than 200 metres, or 217 yards.

II.—*Report of the State of Naval Architecture in Great Britain, from the work of M. Dupin, by LAPLACE, DE ROSSILY, and SANE.*

For some years past, the English have occupied themselves a great deal in bringing to perfection the timber work of their vessels. They have gradually adopted a system which they actually practise, and which we attempted a century ago, but with little success. This system consists in suppressing the timbers of the ship's hold, and in strengthening the perpendicular bindings of the side planks and pan-

nels by other oblique bindings in the inside. Experience has shown the good effect of this new method, and the strength the vessels acquire by it.

• A considerable number have been built on this principle*.

• After the report of M. Dupin, and the advantages which seemed to result from this system, our commissioners ordered a trial to be made upon a vessel building at the time.

• An experiment ought absolutely to be made on an object of this importance, it being the only method to make sure of the advantages of this new system. Such a trial can take place without any inconvenience resulting therefrom, as there would always be a good vessel; and if it succeeded, the French navy would be indebted to M. Dupin for the advantages that would be derived from it. For some years past, the English

• have not confined themselves to the improvement of the timber work only, but have been liberal enough to consider the interior accommodation.

The English have wrought a change in the construction of their main masts (*mâts d'assemblage*;) instead of forming them with planks, the one placed on the other, and indented, they confine themselves to put together the rough planks, and reduce

them to a plain surface, uniting them with copper hoops driven half into the different pieces in contact with each other. This method seems to have succeeded, and is even preferable to the Dutch way, which has simplified the construction of masts. The French navy knew of this new process some years past. The mast of an English frigate being lost on the coast of France, run aground upon the sands of the port of L'Orient. This mast was taken to pieces, examined with care, and the plan taken.

However, as it is impossible to adopt new proceedings without being assured of their efficacy, a trial has just been made in the port of Toulon, upon the sloop Uranie, which is gone on a long voyage. One of the lower masts has been built on the old plan, and the other after that which had been followed in the construction of the English frigate. It is not until after the return of this sloop, that a certain judgment can be formed of the advantages or disadvantages of this new plan.

A Frenchman, established in England during the last war, has brought to singular perfection the process of making blocks. M. Dupin, who was particularly acquainted with Mr Brunel, has taken a great number of in-

• There are at present (1819) thirty-eight ships of the line and thirty-six frigates after this principle. That the diagonal system has communicated great strength to every part of the ships so constructed is now universally admitted; and nothing seemed wanting to render these floating fortresses complete in every part except the addition of circular sterns, which Sir Robert Seppings has accordingly attempted to introduce, and which possess the rare merit of making the strength of the stern equal to that of the bow, and of increasing the ship's battery, so as to afford complete defence to that part, which, formerly, was not only the *weakest*, but the *worst defended*. The weakness of the former sterns has been the source of incessant complaint with all our naval commanders. It is a proof that the present age is not so thoroughly enlightened as some pretend, that this plan, the value and utility of which are matter of complete demonstration, should have been opposed by the most unaccountable prejudices; grounded, it would seem, on the principle, that the adoption of circular sterns would injure the appearance of our floating batteries, and present a less picturesque object to people whose taste had been formed on the existing models. One would have imagined that an invention, calculated, and admitted on all hands, to improve incredibly a ship's strength and force, especially in the most critical of all situations in which she can be placed—that of retreat before an enemy of superior force—would have needed nothing but its own unquestionable utility to recommend it.

structions on it, to which he has affixed his own observations. Similar machines exist in the ports of Brest and l'Orient. The manufacturing of sails presented nothing remarkable to M. Dupin except the machines put in motion by steam, for weaving and spinning the flax with which the sails are made. Rope-making is one of the maritime arts that the English have carried to the greatest perfection. They have invented an astonishing number of ways for spinning, tarring, and putting together their ropes. Several plans appeared to M. Dupin worthy of being well studied, and some deserve to be adopted in France.

For some years past, the English have used iron cables, in lieu of those of hemp. His Excellency the Minister of Marine hearing this, requested M. Dupin to purchase at London four iron cables; one of which was immediately tried at Dunkirk by him, in the lighter *Isère*, another in the lighter *La Loire*. These vessels, being commanded by clever officers, the cables were very properly used; and it appears that they would be of great assistance in many circumstances.

Report, by the Duke of Ragusa, on a Work of the Chevalier Dupin, entitled, "A Journey in England, and Essay on the Progress of the Artillery and Engineers of Great Britain."

The Academy has requested MM. De Prony, De Rossily, and myself, to give an account of a manuscript, entitled, "A Journey in England, and an Essay on the Progress of the Artillery," &c. by M. Dupin, a naval ordnance officer; and it is this task that we are about to fulfil. The

author of this manuscript undertook his voyage with the best possible means to render it useful,—strong recommendations, those talents so necessary to distinguish clearly, and an ardent love for the sciences.

It is to the war-department that the traveller has paid particular attention:—and the account we are about to give will be freely drawn up, without following too closely the steps of the author.

Military Establishments.—M. Dupin has surveyed with attention the different military establishments in England, Woolwich, Portsmouth, Chatham, &c. All that concerns the troops, the land and naval ordnance, and fortifications, depend entirely upon one office, which is named the Ordnance Department. Woolwich is the most important establishment. There are three workshops of every description for the construction of artillery, a foundry, magazines, barracks, a college; in short, every means for teaching, preparing, preserving, and employing whatever that relates to the naval and land service. Every article made at Woolwich displays grandeur and magnificence. The vessels are brought to the gates of the several magazines through docks constructed with great art. These magazines are remarkable for their great extent and beautiful construction, the constant repair in which they are kept, the canals which separate them in case of fire, the iron bridges which unite them together, and the great quantity and well-classed stores which they contain. Government stores are made at Woolwich: elsewhere they are but depôts. Small arms and powder are in England trading articles, which government purchase as they want them, after having had them proved. They only make at Woolwich the brass cannons; those in iron are made

at the cannon foundry in Scotland (Carron,) which is a very large establishment, all its works having been brought to a singular degree of perfection. Portsmouth and Chatham are, after Woolwich, the principal depôts for artillery.

Fortifications.—Portsmouth and Chatham, which are such important positions, and which contain such extensive military means, are fortified. Their strength has been increased since the time of the French camp at Boulogne. Portsmouth is remarkably defended by its waters, being insulated by moats. At Chatham there is sufficient accommodation in the fortifications to lodge continually bodies of sappers, miners, and pontoon men.

The fortifications in England have nothing in them remarkable. It is from French books that the English engineers have learnt to construct them. There, as elsewhere, Vauban's principles are followed. The works of Carnot are much esteemed, and they wished to try part of Montalembert's system; but the expences were such, that even the English finances could not support it. Some ingenious details, but of a secondary consideration, have been taken from the French authors, and put into execution by the English engineers. There are on the coast towers of defence, of a construction more simple than our own?

Machines.—The most remarkable circumstance connected with the English artillery, is the machines they make use of for its construction. The common mechanic has made such progress in that country, and the secondary artisans possess so much ingenuity, that the military manufactures ought naturally to receive considerable improvement. The steam-engine, hydraulic press, and several combinations of these two machines,

are at present the principal agents of English industry.

The English steam-engines are brought to a high degree of perfection. They are regular, compact, perpetual, and sufficiently powerful to produce the strength of from 200 to 300 horses, and a rapidity that increases to the extreme, as it is required.

The hydraulic press of Pascal, improved by Bramah, has proved itself to be extremely advantageous in different ways. It was by means of this press that the English reduced their equipments, provisions, and, above all, their forage, to a bulk exceedingly compact, which became easy to transport, and procured that great abundance to the army of Portugal, in the presence of an enemy, who was deprived of every thing. Thus you see, in the middle of the English arsenals, the man to whom Bramah's lever gives the arms of fifty men, present to instruments, animated by the steam-engine, matters which seem to work of themselves. Wood, iron, brass, are acted upon by saws, planes, knives, wedges, files, and gimblets, which are modelled in a thousand different ways, and assume at will every shape, without effort, without noise, and with incredible velocity.

The Emperor of Russia, in passing through England, bought two presses from Bramah, and thirty steam-engines, not to make an useless decoration in his Museum, but to establish them in his arsenals.

Military Instruction.—A thorough instruction being the first step towards success, the English have for some years past redoubled their attention to their military education; and, above all, they are determined to have a great number of officers of artillery and engineers, not inferior to those of any nation. In

1806, they established at Woolwich, on a very large scale, a college for the artillery and engineers: they have constructed large buildings, with every necessary appendage of apartments, halls, laboratories, libraries, cabinets of models, &c. Professors have been appointed, who have suitable apartments, where lectures are given. The students are examined, after a twelvemonth's preparatory study, and the candidates admitted remain four years at college, at the expence of government.

Pupils are instructed in the mathematics, physics, chemistry, mechanism, fortification, geodesy, topography, &c., the application of the theory of all these sciences to the practice of the military arts, the different kinds of design, the French language, dancing, fencing, &c.

The English have established for their troops, as well as their officers, schools well organized and properly attended to, where they learn reading, writing, and arithmetic, and a little of geometry and mechanism. The schools for the troops have also their libraries; and the taste for reading is such among the soldiers, that lately, when a corps was setting out for the colonies, they clubbed to buy some books, which government did not fail to increase immediately at their own expence.

At the school at Chatham, our traveller saw the troops on an extensive plain drawn up for practical exercises: they were occupied in forming entrenchments, and in attacking them; they were exercising in undermining, mining, &c. and the pontoon train manœuvred, in silence and at command, bridges, which they extended, closed, &c.

The English were far behind us in their military education twenty years ago. Since that time they have studied our institutions, our army, our

wars, our success, our faults, our books, and our experience. They have copied from us: but the English are imitators who frequently surpass their models.

The Train of Artillery.—There are in the single dépôt at Woolwich more than 10,000 pieces of cannon, an immense number of mortars, howitzers, carronades, swivels, &c. The Emperor of Russia was astonished to see such a considerable quantity of ordnance; as, for these twenty-five years past, the English have lavished their arms upon every nation that was willing to fight. They told him that, before the last war, they had 25,000 cannons, and stores in proportion, besides the enormous quantities which had been furnished from other foundries.

The parks of Portsmouth, Chatham, Plymouth, &c. are less worthy of notice than that of Woolwich; though they also contain an immense quantity of artillery.

The stores are put up in the magazines in the most orderly and careful manner. Every thing is classed by its kind and size, and is dismounted and packed up ready for immediate embarkation; so that, even from the middle of the country, England can, in twenty-four hours after orders have been issued, send off an astonishing quantity of military stores.

Enormous quantities of projectiles, exceedingly well made, are seen in the arsenals; some piled in heaps of from 20,000 to 30,000, the others are in wood, loaded, and solidly packed up.

There are a great number of mortars for the defence of forts, a beautiful train of mountain-artillery, a quantity of forged and cast-iron carriages for the coast and the colonies, with fort and coast carriages, which are naval carriages on a pivot à la Française.

Progress and Improvements of the Artillery.—The artillery department is continually endeavouring to improve. In 1811 they tried before the Admiralty, as a new invention, combustible balls, which have been known in France for some years past.

The English have shells filled with case-shot, which they prize very much. The best judges of a destructive invention are those against whom they have often been used; and the effect they had upon our troops proves how necessary it is for us to adopt the use of them.

Among the works which the search after perfection has caused to be undertaken in England, we distinguish, at Woolwich, the different species of cannon-ball practice commenced by Dr Hutton. This ball practice is continued by the chiefs and professors of the arsenals and the head school. A great deal of experience, perseverance, talents, and money, are expended on it. They teach the artillery of other nations the first elements of ballistics, presently but too little known. It is done with a very exact pendulum of great dimensions, and sometimes by means of turning discs, invented by a French officer.

It was with infinite pleasure that M. Dupin found the English occupied in accomplishing attempts that had been made in France, to discover the essential properties of the different woods.

They have made lately in England experiments, which they have well followed up, on the means of lightening the great guns. These experiments have the naval service, particularly for their object. Whatever security the English navy may aspire to, those who possess that science do not occupy themselves with less ardour to bring it to perfection.

Generals Congreve and Bloomfield are continually endeavouring to at-

tain this great object: the inventions of the former were spoken of with great *éclat*, as possessing peculiar properties, which those of General Bloomfield did not. Both, however, have been more advantageous for the service for which they were destined than the great guns. General Congreve is the most active promoter of inventions in the English artillery. He pays great attention to the construction of the frames of cannons, and has published a pamphlet on the subject.

General Congreve has taken out a patent for this, which, without conferring on him the right to pass as its inventor, affords him the exclusive advantage of selling to the ship-owners of his own country frames of cannons that his patent restrains them from making, which would be very easy, after reading the French works on the subject.

The principal invention of General Congreve is the rockets which bear his name. It is believed in England, (at least it is said, but without any reason,) that these rockets had great effect at the battle of *Leipsic*. The Artillery of different powers have thought seriously of them. It is to be hoped that the French artillery, who have some right to set examples, will not follow this; for, out of a small number of especial cases, these rockets have had no effect; and it is humanity, more than military science, that ought to rejoice, if such arms were not used again.

The English have rockets for the naval and land service of all sizes, for infantry and cavalry, to burn, to throw case-shot, &c.

General Congreve adds to all this his own inventions;—new rockets, carrying a parachute, which, at the highest degree of their projection, unfold, and walk majestically through the air,—a bomb, which ought, if the

wind is favourable, to descend on a town, and set it on fire,—and an artificial ball, which, brilliant as a planet, is calculated to throw a light on the movements of the enemy.

La Place has given the following results, as deduced from analysis, and from the experiments made with the pendulum in both hemispheres: 1. That the density of the strata of the terrestrial spheroid increases from the surface to the centre: 2. That the strata are very nearly regularly disposed around the centre of gravity of the earth: 3. That the surface of this spheroid, of which the sea covers a part, has a figure a little different from what it would assume in virtue of the laws of equilibrium, if it became fluid: 4. That the depth of the sea is a small fraction of the difference of the two axes of the earth: 5. That the irregularities of the earth, and the causes which disturb its surface, have very little depth: And 6. That the whole earth has been originally fluid. These results (he says) ought to be placed among the small number of truths which geology presents.

It is known, that the inclination of the lunar equator to the ecliptic is constant, and that its descending node coincides with the mean ascending node of the moon's orbit; and La Place has recently shown, that these results are not affected by the secular equations of the moon's mean motion, nor by the secular displacements of the ecliptic. M. Poisson has likewise shown, that they are not modified by the secular equation which affects the mean motion of the moon's node, but that

they correspond to the mean velocity of rotation, and a mean state of the lunar equator. The theory indicates, that this velocity, as well as the inclination of the equator and the distance of its node from that of the moon's orbit, are subject to periodical inequalities. La Gange has expressed in his formulae the principal inequalities of the velocity of rotation; and M. Poisson has very recently determined the inequalities of the inclination and of the node.

Mr Thenard has announced, that he has obtained water which contains in weight double its usual quantity of oxygen, that is, 100 parts of water may absorb 88.29 of oxygen. This oxygenated water possesses remarkable properties. It is colourless, and has no smell in ordinary circumstances, but a particular odour in a vacuum. Its taste is astringent. It acts upon the skin like a sinapism. Its specific gravity is 1.45. When a drop of it is let fall upon a stratum of oxide of silver, placed at the bottom of a glass, a detonation takes place; the oxygen of the water, that of the oxide, and a great quantity of heat are disengaged; and light is produced so sensibly, as to be perceived where the darkness is not very intense. The same phenomena take place with silver, platinum, gold, osmium, iridium, rhodium, the peroxide of cobalt, &c.

A new acid has been recently discovered by M.M. Gay-Lussac and Welter, which they have called *Hyposulphuric Acid* *. They obtained it by passing a current of sulphurous acid gas over a solution of peroxide of manganese in water; then filtering

* It is a singular enough coincidence, that this acid was much about the same time discovered by our ingenious countryman J. F. W. Herschell; F. R. S. and named *Hyposulphurous Acid*. There can be no doubt, that, as far as regards Mr Herschell, the coincidence is entirely accidental. We beg to refer the scientific reader to *The Edinburgh Philosophical Journal*, vol. 1. pp. 8. and 296, and vol. ii. p. 154.

and pouring into the liquor a certain quantity of barytes, and causing a current of carbonic acid gas to pass over it, if there is an excess of this; then, by pouring upon it sulphuric acid the barytes is thrown down, and the new acid obtained, which is dried under the receiver of an air-pump, by sulphuric acid. The greater number of the salts which it forms, with earthy or metallic bases, are soluble and crystallize. The hyposulphites of barytes and lime are unalterable in air. The suberic acid and chlorine do not decompose the hyposulphite of barytes. This new acid is composed of two proportions of sulphur and five of oxygen.

Messrs Dulong and Petit have presented the continuation of their researches on heat. By means of a very simple instrument of their own invention, they have made numerous experiments, and obtained several very important results respecting the capacity of bodies for caloric. One of the most important of these is, that, from the proportion of the atoms of which a body is composed, its capacity for heat may be deduced, and *vice versa*. It appears also, from their experiments, that the quantity of heat disengaged in chemical combinations, does not depend on the capacity of the body for heat; and, therefore, that the ordinary theory must be rejected.

A sum of money having been anonymously transmitted to the Institute, for the purpose of founding a prize in physiology, a gold medal of 440 francs' value will be given to the author of the printed work or manuscript sent to them before the 1st of December 1819, which shall be considered as having contributed most to promote the progress of experimental physiology.

WERNERIAN SOCIETY OF EDINBURGH.

The business of this season was commenced by Professor Jameson, who on the 9th of January read the first part of an account of the Geognostic Structure of the Grampians.

Jan. 23.—Dr Hibbert read to the society his observations on the Stratification of the Shetland Islands:

Feb. 6.—Professor Jameson continued his Mineralogical Account of the Range of the Grampian Mountains, illustrating his descriptions by numerous sections of the country.

Feb. 20.—Dr Hibbert read the second part of his account of the Geognosy of the Shetland Islands, consisting chiefly of Observations on the Relations of the Quartz and Sandstone of the western parts of the country.

March 6.—Mr Campbell of Carbrook read a paper on the Gradations in the scale of Being, and particularly on the Living Principle. After remarking the chain of connection which binds the whole of creation, material and intellectual, together, Mr C. stated, that he limited his abstract to the material division of the scale; and to the consideration of the characters which distinguish the Living Principle from organization and instinct. The first principle, which he pointed out as affecting the individual particles of matter, which lie at the bottom of the scale, and dependent on gravity, was Aggregation. To that succeeds Stratification, the regularity of which he referred to the agency of Almighty Power. The next point in the scale, and a principle more precise in its operation, was Crystallization: from the consideration of which the au-

thor proceeded to Organisation, in his opinions respecting which he differed from Drs Thomson and Barclay. He maintained, that the Living Principle cannot be the soul, because plants, which have no souls, have unquestionably the living principle. The structure is the *organisation*; the *living principle* is something else. From organisation, which is a lower point in the scale, we ascend to the living principle, or *vis vitæ*. The author's observations, however, being rather of a negative than a positive kind, it does not very clearly appear what are his views on this curious, difficult, and, we fear, inexplicable subject.

March 20.—Professor Jameson read a communication from Dr Brewster, on the optical properties of minerals. Dr B. stated, that in a very extensive examination of the optical constitution of minerals and artificial crystals, he was led to ascertain their number of axes of double refraction, and that he had proceeded only a short way in the inquiry when it became obvious, that a very unequivocal connection existed between the form of the primitive nucleus and their number of axes of double refraction. Every new experiment added to the truth and generality of this result; and when he had examined the greater number of those bodies whose primitive nuclei was known, he had the satisfaction to discover that all the crystals with *one axis* arranged themselves under a certain series of primitive forms; and that those with *two axes* arranged themselves under another series; while the remaining primitive forms were occupied by those crystals whose doubly refracting forces were in equilibrio by the combined action of *three equal and rectangular axes*.
*To this singular coincidence there is only one or two exceptions. We re-

gret that our limits restrain us from giving a more detailed abstract of this very learned and ingenious paper, to which we refer the reader who is desirous of further information.

April 3.—The Secretary read a communication from Captain Shoresby, on the means of overcoming some of the difficulties that obstruct discoveries in the Arctic Seas; and Dr Hibbert gave a description of the sienite district of Shetland, in continuation of his general account of the Geognosy of these islands.

April 10.—Dr Hibbert gave an account of the granite and sandstone districts of Shetland; and completed his view of the Geognosy of these islands by some remarks on Papa Stour.

April 24.—The Secretary read a communication from Mr Stewart, containing remarks on the germination of some kinds of cryptogamous plants, and a list of some of the rarer cryptogamous plants which have been lately found in the neighbourhood of Edinburgh: likewise a description, illustrated by drawings, of the fossil remains of a cetaceous animal found in slate clay near Whitby, by the Reverend G. Young.

May 1.—The Secretary read a paper entitled, "Account of some fossil remains of the beaver (*Castor Fiber L.*) found in Perthshire and Berwickshire, proving that that animal was formerly a native of Scotland." The first instance in which the fossil remains of this animal were discovered in Scotland occurred as far back as 1788. These remains were found in the parish of Kinloch, near the foot of the Grampians, embedded in one of the marl-pits of the Loch of Marli, on the property of Mr Farquharson of Invercauld, which had been partially drained for the sake of

the marl. The second instance occurred so lately as October 1818, on the estate of Kimmerghame, in the parish of Edrom, and near the head of that district of Berwickshire called the Murse. The bones were likewise found in a marl-pit at the depth of seven feet below the surface, which was covered with peat-moss. There was an apparent dislocation in this skeleton, the result probably not of violence, but of the gradual and unequal subsiding of the soft matter in which it was embedded; but, upon the whole, the bones were in a high state of preservation; the cranium particularly being in a much more perfect condition than that of the specimen from Perthshire. Both the fossil heads appeared to have belonged to full-grown animals. The author states, that the fossil remains discovered in Scotland appear to agree with a beaver's head described and drawn by M. Cuvier in his "*Recherches sur les ossements fossiles de quadrupèdes*," vol. iv. sect. "*De rongeurs fossiles*." The specimen described by the celebrated French naturalist was found by M. Traullé, in a peat-moss in the valley of the Somme in Picardy.

At the same meeting Mr Bald read a paper on the Coal Formation in Great Britain, illustrated by numerous sections and specimens.

Dec. 11.—The Secretary read a communication from Mr Stewart, Lecturer on Botany, giving an account of his having found and examined many specimens of the rare moss, *buxbaumia aphylla*, and assigning reasons for believing it to be a plant of longer duration than botanists have hitherto imagined. A paper was also read by Mr Stevenson, on the original formation of the land now constituting the territory of the United Dutch Provinces.

Dec. 29.—Professor Jameson read

an account of the rocks of Sandside in Sutherland, and illustrated the description by sections and specimens. A paper on the luminosity of the sea was also read by Mr John Murray, Lecturer on Chemistry.

GEOLOGICAL SOCIETY.

The first communication which calls for notice was a paper, by W. Phillips, Esq., on the Chalk Cliffs, opposite Dover on the coast of France, read at the meeting of the society held on the 6th of November. Mr P. found these cliffs to consist of deposits similar to those between Dover and Folkstone, except that the upper part of the bed with numerous flints is not visible on the French coast. The dip of the strata is nearly the same on both sides of the channel, but the thickness as well as the height of the cliffs is much less on the French side. Mr P. thought they had once been continuous with the English beds, and formed part of what is now termed the chalk basin of London; the then connecting mass having been since washed away by the action of the sea. At this meeting also, Mr P. read a paper on the modifications of the primitive crystal of sulphate of barytes. The angles of the crystal, a right rhomboidal prism, were found by the reflecting goniometer to measure $78^{\circ} 18'$ and $101^{\circ} 42'$. Mr P. observed eighteen modifications, and described the secondary planes produced by them.

Dec. 4.—A paper from Dr Day, communicated by Sir James Macgregor, on the Geology of Ceylon, was read. This island consists almost entirely of primitive rock, composed chiefly of gneiss and dolomite, rising in some places to the height of 7000 feet above the level of the sea. The mountains and plains are generally

covered with debris, and the soil, which is poor, corresponds to the rocks from which it is formed. There are hot springs in the neighbourhood of Trincomalee, the temperature of which varies from 103° to 137° . Iron is the only metal found in the island, which, however, is rich in gems; such as, tourmaline, garnet, pyrope, cinnamon-stone, zircon, hyacinth, spinelle, sapphire, &c. &c. No traces of volcanic action are anywhere visible.

Dec. 18.—A communication was read from T. Robinson, Esq. of Morley Park Iron Works, Derbyshire, on a tree found in these works. As the miners were sinking a pit for the purpose of obtaining iron-ore, they discovered a tree, apparently oak, in an erect position, its bottom standing below the third measure of iron-stone; its length was about six feet, its diameter from ten to fourteen inches, and its substance dark coloured and mouldering; its position, and the unbroken appearance of the beds it traversed, seem to countenance the idea that it grew there previous to the deposition of the beds surrounding it.

Jan. 1. 1819.—Mr Buckland's paper, "On the Geological Structure of the South-western Coal District, and on the Relations of the Deposits by which it is partially covered," the reading of which had been commenced at the former meeting, was now concluded. The district referred to appears generally to consist of two principal formations: the first reposes on the transition rocks, and includes the independent coal formation of Werner; while the second consists of more recent horizontal deposits, lying on the transverse edges of the first formation. The first formation consists of the following beds: 1. Limestone and imperfect skite, which the author considers as the upper members of the greywacke series, and a link between the transition slate-rocks and suc-

ceeding formations; 2. Old red sandstone; 3. Mountain limestone; and 4. Coal measures. The second formation consists of—1. Calcareo-magnesian conglomerate, and magnesian limestone; 2. Newer red sandstone and red marl; 3. Lias; and 4. Oolite. This paper also states the angles of the inclination and direction of the different strata.

At the same meeting, a paper by Thomas Kent, on the Rock of Gibraltar, was read. The rock is a mass of limestone, the greatest height of which is about 1440, and its base about 2200 feet in its longest diameter. The small rock on which the Devil's Tower is built appears to be a fragment detached from it: the edge of the summit is in some places so sharp that a person cannot stand upon it. Part of the rock appears to have been much broken and dislocated; and in the intervals between the fragments, as well as in a cavern in the side of the east cliff, bones of animals have been found incrustated with stalactitic carbonate of lime. The hills near St Roque, reaching to a distance of several miles into Spain, contain large quantities of oyster, cockle, and other shells. The ancient city of Carteia was built of stone quarried from these hills.

Jan. 15.—A paper was read by S. Babington, Esq., "On the Geology of the country between Tellicherry and Madras." The face of the country in general below the Ghauts is marked by low-rounded hills, composed of a porous substance, called by Buchanan laterite. The mountains denominated Ghauts, &c. the author describes as consisting of granite, gneiss, mica, slate, &c. varieties of hornblende rock, sometimes containing garnet, and in one place cyanite. The Carnatic, or country east of the Ghauts, is flat, and the soil to a considerable depth consists of strata of brown and bluish clay, interspersed

with beds of oyster, cockle, and other shells.

Feb. 19.—A paper was read from the Hon. Mr Strangways on the Rapids of Imatra on the Voxa river in Carelia, and containing a notice of the bursting of the lake Loubando into the Ladoga in 1818. The greater part of the course of the Voxa may be considered rather as a chain of lakes than a river. Near Imatra it is contracted into a narrow channel within rocky banks, about sixty feet in breadth, which continues for 500 yards.—Through this channel the river rushes with great fury and dreadful noise. The rock of this channel is the usual red granite of Finland, which is easily disintegrated by exposure to the weather. In 1818 one of the lakes Loubando, which discharged its waters into the Voxa, opened a passage into lake Ladoga eastward, by bursting through the isthmus of Taipala,—a circumstance that will probably alter its future geographical character.

March 5.—An extract was read from a letter written by the Reverend G. Young, Whitby, to S. Parkes, Esq. containing an account of the discovery near that place of the fossil remains of an animal, supposed to have been the ichthyosaurus. These remains were embedded in an alum rock. The skull was entire, measured two feet ten inches in length and one foot in breadth at the broadest part, and tapered to a point like a bird's beak. The jaw-bones were twisted, the teeth broken and displaced, and the remainder of the skeleton mutilated and imperfect. It is supposed that the animal must have been fourteen feet long.

At this meeting also a paper was read from H. T. De La Beche, Esq. On the Rocks and Fossils of the Coast extending from Bideport Harbour, Dorset, to the eastern point of Tor-

bay, Devon. This line of coast, beginning at its western point, consists of the following beds which dip eastward: 1. Rock marl, or red conglomerate: 2. Green sand: 3. Chalk; into which the green sand sometimes passes. The more remarked fossils are, ichthyosaurus, nautili and ammonites, pentacrin, trochi, casts of turbinated shells, pectens, gyphites, anomiae, and other bivalves, &c.

April 2.—The reading of Mr Hennabis' paper, begun at the previous meeting (March 19.) On the Plymouth Lime stone, was concluded. This bed generally rests on clay slate, and rises about 100 feet above high water mark. It runs nearly east and west for several miles, and dips towards the south or south-west: its breadth is from a quarter to half a mile. Many organic remains are found in it, chiefly madripores, tubipores, millepores, trochites, pentacrinites, collatics, &c.

An abstract of a letter from Dr Nugent, of Antigua, to the President, was read, accompanying some specimens of the Barbuda limestone, and containing some remarks on the geology of that island and of Antigua. Barbuda consists of a hard level limestone, with scarcely any vegetable mould upon it, which is supposed to be of the same formation with that of Antigua. The more mountainous parts of the latter island consist of trap rocks, on which rests a series of stratified conglomerated rocks, consisting of a clayey basis, containing minute crystals of felspar and spots of chlorite. On this reposes an extensive limestone formation, the lower part of which contains a great number of silicified fossils of various kinds. These islands, and some others in the vicinity, are conceived to afford evidence of the existence of a recent formation, contemporaneous with, or perhaps even posterior to the Paris basin.

May 7.—The “Description of the Valley of the Ligovca,” by the Hon. Mr Strangways, was read. The river Ligovca, or Doordorovca, issues from the lake Doordoroff, fifteen miles to the south-west of St Petersburg. At a short distance from this lake, it is expanded into a second, and finally discharges itself into the Gulf of Finland, through a marsh which is daily increasing in extent. In the upper part of its course the bed of the river is composed of limestone; but when it leaves the second lake it passes into a channel of blue clay, and its banks are covered with an accumulation of gravel. The heights on the west side of the valley consist of limestone. The lower beds of limestone pass into upper strata of green schist, and as they approach the schist they acquire a green colour. The fossils of the limestone are principally orthoceratites, and trilobites.

An extract of a letter from Mr D. Scott, was then read. It contained an account of some marine remains, that had been laid bare by the river Brahmaputra, near the north-east frontier of Bengal. The Garton hills, which are in the vicinity of the Brahmaputra, are of two formations; the first, which occasionally rise to the height of from 2000 to 3000 feet, consist of granite, with veins of quartz and felspar; the second, which rest upon these, seem to have been deposited from water, as their strata are nearly horizontal. It is under or through one of these latter that the bed of shells appears to extend.

May 21.—A paper by the Right Hon. Lord Crompton was read, entitled, “A Description of the Rocks which occur along a portion of the south coast of the Isle of Mull.” These are what are called the Carsey Rocks. The shore is composed of basaltic columns, which rise in some places to the height of 500 feet. There

are two very remarkable leached rocks: one of the openings is about 60 feet high, and between 50 and 60 feet wide. It is formed in a basaltic rock, resting on green sand, and does not contain any fossils.

June 4.—The reading of Mr Taylor’s paper, “On the smelting of Tin-ores in Cornwall and Devonshire,” begun at last, was concluded at the present meeting. The author observes, that tin-ore is found in two states, in veins accompanied by other metals, or in detached fragments dispersed through alluvial matter: these are respectively known by the names of mine-tin and stream-tin. Mine-tin is first subjected to the process of dressing, by which a considerable part of the extraneous minerals, as well as the earthy matrix, is separated. The metal produced from this kind of ore is called block-tin, and is less pure than that from stream-tin, in consequence of some remains of other metallic substances, of which it is very difficult entirely to deprive it. Stream-tin has no other metallic ore mixed with it, except occasionally a little hæmatitic iron. This furnishes the grain-tin of commerce. In dressing mine-tin it is necessary to have it very minutely pulverised, in consequence of its being so intimately dispersed through the matrix, a large part of which, from the great specific gravity of the ore, may be removed by washing. It is then smelted in the common reverberatory furnace, mixed with Welsh culm and lime, and exposed to a very strong heat, so as to reduce the whole to a state of perfect fusion. As tin-ore consists merely of an oxide mixed with a quantity of extraneous matter, the only objects to be attended to in smelting are to reduce the earthy matter to a state of perfect fusion, to which the lime contributes, and to remove the oxygen, which is effected by the coal.

The produce of the smelting furnace is considerably impure, and the metal afterwards goes through the process of refining, which consists essentially in fusing the tin at a low heat, insufficient to melt the other metals with which it is mixed. When sufficiently pure, it is cast into moulds and sold under the name of block-tin. The reduction of grain-tin proceeds upon a different principle. After being dressed, it is carried to what is called the blowing-house, in which the metal is reduced in a blast furnace by means of charcoal. The blast furnace consists of a cylinder of iron standing on its end, into the upper part of which the ore and charcoal are thrown; the blast is admitted by a hole near the bottom, and the metal, as it is reduced, flows out at another hole on the opposite side. The metal obtained from these furnaces is farther purified by having pieces of charcoal soaked in water thrown into it while melted. The water is thus rapidly volatilized; and, as it appears, by the agitation it occasions, all the impurities are carried to the surface, where they are easily removed.

June 18.—Some additional remarks by Mr De La Beche, on the Fossil animal called ichthyosaurus, concluded the business of the season; the society not meeting again till November.

SOCIETY FOR THE ENCOURAGEMENT OF ARTS, MANUFACTURES AND COMMERCE.

Since the commencement of the session in November last, this society has been occupied in adjudging rewards for various useful improvements in the arts and manufactures; a few of which we shall now briefly notice.

The society's gold medal was adjudged to Mr Hardy, for his inverted pendulum, an instrument which the celebrated Captain Kater had previously made known to the public, by a paper in the transactions of the Royal Society of London, entitled "An Account of Experiments for determining the length of the Pendulum vibrating Seconds, in the latitude of London." In conducting these experiments, Captain K. is said to have derived advantage from Mr Hardy's instrument, "in proving the stability of the support for his pendulum." Whether this be correct, we cannot say, as we have not had access to the original paper in the transactions of the Royal Society; but in a very ingenious and able article on Captain K.'s experiments on the pendulum, in the number of the Edinburgh Review for September 1818, no mention whatever is made of Mr Hardy's instrument, the whole credit of the invention of the convertible pendulum being ascribed to Captain K., who is said to have first reduced to practice the theorem formerly demonstrated by Huygens, that the centres of suspension and oscillation are reciprocally convertible.

The Society awarded the silver medal and ten guineas to Mr A. Bell, for his invention of a new Chuck to the Lathe.

Mr T. Taylor's Repeating Alarum, for which the sum of fifteen guineas was awarded, has been found of great service in the Royal Observatory, in giving the astronomer timely warning of the passage of certain stars, either by day or night, and thereby affording him opportunities of making observations which might otherwise be lost.

The Society voted its silver medal to Mr Fayer for his improvement on the three-wheeled clock,

recommended by Dr Franklin and Mr Ferguson, by which they will go longer without winding up, and continue in action whilst winding.

A variety of other premiums were adjudged, the principal of which was a gold medal to Mr J. Young, for his improved method of collecting British opium. Mr Y. has proved that this valuable medicine may be collected in this country, with sufficient profit to induce the agriculturist to cultivate the poppy for this purpose, as well as to extract oil from its seeds.

CALEDONIAN HORTICULTURAL SOCIETY.

Fewer premiums were distributed this year than in some of the preceding years; and the papers read to the society were in a great measure destitute of interest. Our notice of them therefore will be very concise.

On the 4th of March a paper from S. Parkes, Esq. London, entitled, "On the Employment of common Salt for the purposes of Horticulture," was read by the Secretary Mr Neill. After some preliminary observations on the progress of horticulture among different nations, the author proceeded to discuss the several branches of his subject in the following order: 1. That common salt, when applied in due proportions, has the effect of promoting the health and growth of vegetables: 2. That it has the property of rendering fruit trees and esculent plants unfit for the food or the habitation of worms and insects: 3. That common salt is one of the most efficacious substances that can be employed in a garden for the destruction of worms and insects: And, 4. That common salt may, with material advantage, be used for the destruction of weeds

and other noxious vegetables. The author then proceeds to detail a number of facts and experiments, in confirmation of these propositions, in the order of their enunciation.

At the same meeting a paper by Dr W. Howison, entitled, "An Account of several of the most important Culinary Vegetables of the interior of the Russian Empire," &c. was read. The first of these which the author treats of is the Russian Cucumber, a vegetable consumed in great quantities by the native Russians, as well as foreigners settled in the country, and which, he tells us, differs in many respects from the cucumber of Great Britain, being smaller in size, yet containing a great quantity of juice and pulpy matter. The second is the Moscow early yellow turnip, produced in great abundance in Moscow and the Crimea. The third is the Narva yellow turnip, used in considerable quantity as an article of food by the Russian peasantry in the governments of the interior. The fourth is the variegated cabbage, brought by Krusenstern, the Russian circumnavigator, from the islands of the South Sea, and since his time cultivated in Russia. The fifth and sixth are the large black and the large white Russian raddish. The seventh and eighth are two species of water melon, natives of the coasts of the Black Sea; and the others consist of two kinds of celery, the bulbous-rooted and the rothen or red; a peculiar species of mustard from Russian Tartary, the seeds of which were brought from Sarepta, near the Chinese wall; and a peculiar species of onion from Chinese tartary.

On the 2d of September, a paper by Dr W. Howison was read, entitled, "An Account of the Russian Chicory Plant, and of the Artificial Coffee prepared in great quantity, over that country, from its roots, as

well as from the roots of common dandelion."

On the 2d of December a letter from Mr J. Dick to the Secretary was read, "On the advantage of grafting the Ribston Pippin on the more healthy Apple-Trees." It appears from the remarks of Mr D., that the ribston pippin in general produces strong wood, which however is often not ripened on standard trees, and is therefore ready to canker; and that those kinds of fruit trees, which have not their wood well ripened in the autumn, never produce fruit so well as those the wood of which attains maturity. The method proposed to remedy this evil is simply to procure some paradise pippin apples that have been wrought upon good crab stocks, by grafting the ribston pippin on which, it is enabled to make much finer wood, to ripen its wood, and to produce fruit abundantly either upon standard or espalier trees.

HIGHLAND SOCIETY OF SCOTLAND.

The general anniversary meeting of the Highland Society of Scotland was held at Edinburgh on the 12th of January 1819, when a number of noblemen and gentlemen were duly elected members.

The improvement of the Scotch fisheries was one of the most important objects originally embraced by the society; and from the adoption of the suggestion of the society, that a special board should be constituted at Edinburgh, for the superintendence and management of the white herring fishery, and for the introduction in that fishery of large boats, much benefit has confessedly been derived. Since the institution of this board, however, the Highland Society of Scotland has, in a great measure,

ceased to take any interest or concern in that important branch of national industry; but at the general meeting in January, the society voted a piece of plate to Mr J. Mackenzie, of Richmond Place, Edinburgh, who had been formerly engaged in the fishery, for useful information furnished by him to the society, particularly in regard to the advantages that would result from employing large boats, and which had enabled the society to recommend the measure.

It had been for some time well known to the society, not only that large tracts of land adjoining the sea on the northern coast of Scotland had been covered and destroyed by drifted sands, but that, in some instances, such land had, by proper management, been reclaimed; as, for example, by Mr Young of Inverugie, on the coast of Morayshire. Their attention, however, was more particularly drawn to this subject, at the anniversary meeting this year, by Mr Macleod of Harris, who suggested the propriety of the society's offering premiums for successful experiments of this description in the Hebrides, including the coasts of Orkney and Shetland, where the injury was known to be most extensive. Premiums were accordingly offered for reclaiming land from drift sand in these districts: and they learn with pleasure, that experiments are in consequence making, which there is every reason to hope will be attended with success, and merit the encouragement held out by the society.

At the same meeting the society voted a premium of twelve guineas to Andrew Hislop, smith at Fountainhall, for constructing a bridge of malleable iron over the water of Gala, being the first bridge of this description erected in Scotland, which was attended with very small expense.

James Grant, Esq. of Corrymony, advocate, having published a very learned and ingenious treatise, entitled, "Thoughts on the Origin and Descent of the Gael," in which the author has thrown much light upon points connected with the history, manners, and language of the Gael, the society, at the anniversary meeting in January, voted its gold medal to Mr Grant as a mark of the society's approbation of the work; and at the subsequent meeting in July, the sum of ten guineas was voted to the Reverend A. Macdonald of Crieff, for having executed a translation of Ossian's poem, called Fingal, into Latin hexameter verse.

Besides a regular correspondence with the Highland Society of London, upon matters connected with Celtic literature and antiquities, the society has recently established communications on these subjects with the Royal Antiquarian Society of France, and the Cambrian Society. Particular mention is also made of the translation of *Paradise Lost* into the ancient British or Welsh language, by Mr Owen Pughe; of the treatise on the origin of ancient names in mythology, topography, history, &c. by Mr Dyer of Exeter; and of the translation of the poems of Ossian into the German language, by Dr C. W. Ahlwardt of Leipsig.

The society farther, at the anniversary meeting in January, on the motion of the Earl of Elgin and Kincardine, passed a resolution, recommending to its members a subscription for erecting a monument to the memory of our illustrious countrymen King Robert Bruce, whose remains had been recently discovered in the Abbey Church of Dunfermline.

AFRICAN INSTITUTION.

Since the bill for the abolition of the Slave Trade was passed, twelve years have now elapsed; and the African Institution, which dates its commencement soon after that memorable event, has been steadily and zealously labouring in the cause of African civilization, and putting in requisition every possible expedient which promised to facilitate the *actual* extinction of the horrid traffic in human flesh, "THAT SCOURGE WHICH HAS SO LONG DESOLATED AFRICA, DEGRADED EUROPE, AND AFFLICTED HUMANITY*." The Thirteenth Report of this most philanthropic Institution is now before us; and it is with the deepest sorrow we observe, that, notwithstanding the exertions, sacrifices, and example of this country,—notwithstanding the general abhorrence and execration which have been poured out against this murderous traffic, from one end of Europe to the other,—notwithstanding the solemn declaration of the Congress of Vienna, of date the 8th of February 1815,—notwithstanding the highly commendable exertions of our Statesmen and Plenipotentiaries on that, and every subsequent occasion, where they could prudently interfere, down to the present time,—so little progress has been made in putting an efficient stop to the trade in slaves, that, by the miserable subterfuges, the insincerity, and falsehood of foreign courts, the intentions of this country have been, in a great measure, rendered abortive, and a gainful and active commerce in human flesh, is carried on, chiefly under Spanish, Portuguese, and French flags, along the whole

* The words of Mr Clarkson, the celebrated advocate of the abolition, in a pamphlet distributed to their Imperial and Royal Majesties, and their Representatives, at the Congress of Aix-la-Chapelle, and certainly one of the most eloquent pieces of reasoning we have ever had the happiness to meet with.

coast of Africa, ~~not~~ immediately under the influence of the British Governments. A fact so afflicting to the friends of humanity in every country, deserves to be made as manifest, as the foul stain it inflicts on the national honour of those countries, which, in the face of the most deliberate declarations and solemn treaties, have winked at, or secretly encouraged this abominable traffic,—is deep, fearful, and indelible. For this purpose, and under the conviction that the truth only requires to be known, to induce the friends of humanity (happily neither few nor powerless) to unite, heart, hand, and purse, in putting a period to the most crying evil of our age, we shall proceed to lay before our readers as full a statement of the facts which have been properly ascertained and authenticated, as our limits, and the multifarious character of the subjects we have to record, will possibly permit.

• The narrative of the report commences by stating the proceedings, for the further abolition of the Slave Trade, instituted in pursuance of the additional article of the treaty, of November 1815, between the Allies and France. In December 1817, the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, held a conference in London upon this subject; at which Lord Castlereagh presented the two Conventions recently concluded with Portugal and Spain. At this conference a note was presented by the Portuguese Minister, stating that the King of Portugal, not having signed the additional article of the treaty of Paris, did not consider himself bound to take any part in these conferences, and that he would only do so upon the condition that due regard should be had to the interests, the customs, and even the prejudices of the sub-

jects of those powers which still permit this traffic; that each power having an inherent right to decree the final abolition at the period it might judge most expedient, that period should be fixed by mutual negotiation; and that the general negotiation which might ensue, should in no way prejudice the stipulation contained in the fourth article of the treaty between the King of Portugal and his Britannic Majesty, in which it is provided that the period of the final cessation of this traffic in the Portuguese dominions should be determined by a separate treaty between these powers. These conditions being complied with, a second conference took place in London in February 1818, at which Lord Castlereagh read a note, containing a proposition for the more effectual abolition of the slave trade, already rendered illegal by treaty. The following are the prominent topics contained in this important document:—That since the restoration of peace, a considerable revival of the slave trade had taken place on the coast of Africa to the north of the Line:—That the trade thus carried on was marked with increased horrors from the inhuman practice of crowding slaves on board vessels better adapted to escape from cruizers than to import human beings!—That as Africa had advanced in commercial prosperity as the Slave Trade had been suppressed, so, with its revival, every prospect of improvement appeared to vanish:—That the British Government had made considerable exertions to check the growing evil; but that since the return of peace and the restoration of the French and Dutch settlements on that coast, the trade in slaves had greatly increased:—That, with a view to avoid giving umbrage to friendly powers, the British Government had, in 1816, abandoned the belige-

rent right of search :—That it was, however, proved beyond the possibility of doubt, that unless the right to visit vessels should be established, the illicit traffic would, in time of peace, not only subsist, but increase, from the system of obtaining fraudulent papers and concealing ownership :—That even if the traffic were to be universally abolished, and a single state should refuse to submit its flag to the visitation of vessels of other states, slave-traders would still have the means of eluding detection :—That since it had been unlawful for him to appear north of the Line, the Portuguese slave-trader had concealed himself under the Spanish flag :—That whilst the flags of France, Holland, and the United States are not included in the system established by the conventions with Spain and Portugal, the effect must be to vary the character of the fraud, rather than to suppress the mischief :—That the Congress of Vienna declared, in the face of all mankind, that this traffic should cease, and that the law of the abolition is nothing in itself unless the contraband slave trade shall be suppressed by a combined system, a measure which they owed it to themselves to unite their earnest endeavours to accomplish. For this purpose it is proposed, that all the other maritime powers should be invited to give their accession to the following general provisions : 1. An engagement not only to declare the importation of slaves illegal, but to constitute trafficking in slaves a criminal act, to be punished by an acknowledged principle of international law : 2. An engagement mutually to concede the right of search to their respective ships of war : And, 3. The adoption of the minor regulations contained in the Conventions with Spain and Portugal, with such modifications as might appear calculated

to obviate abuse, and render the system more unobjectionable as a general law.

His Lordship then went into some details, as to how a species of police might be organised to give greater effect to a principle recommended at once by every rule of justice, Christianity, and humanity : and upon these grounds invited the different Plenipotentiaries to solicit, without delay, from their respective sovereigns, the authority necessary to carry this object into effect. This was accordingly done, yet no answer was received from them previous to the Congress at Aix-la-Chapelle.

In the month of June Lord Castlereagh addressed a letter to Mr Rush, the American Minister in London, stating, that after the 30th of May 1820, no flag could legally cover this detested traffic; inclosing copies of the treaties with Spain and Portugal, for the total or partial abolition of the slave trade; and earnestly begging him to submit these documents to the consideration of the President of the United States. To this request Mr Rush readily assented.

Previous to the meeting of the Congress at Aix-la-Chapelle, the Directors of the African Institution had received from the coast of Africa the most authentic information of the increased and increasing extent of the slave trade. This information was embodied in a very able and eloquent pamphlet by Mr Clarkson, one of the directors, and so deservedly celebrated for his unceasing labours in the cause of the oppressed Africans, together with a comprehensive view of the measures which had been hitherto adopted,—and distributed to the Allied Sovereigns assembled in congress. In due time the subject came under the consideration of those August Potentates and their Ministers; and the result

of their deliberations on this paramount question cannot be viewed without feelings of deep humiliation and regret. The discussions were opened by Lord Castlereagh, who explained the existing state of the trade, and announced his intention of submitting, on a future day, two propositions, the first containing an appeal to the King of Portugal, urging him to give effect to the declaration of the Congress at Vienna in 1815, by consenting, as Spain had done, to the final abolition on the 30th of May 1820, and the second allowing a right of mutual visit, as already adopted by Great Britain, Spain, and the Netherlands. The latter of these propositions was heard with extreme jealousy by the Duc de Richelieu, the French Minister; while the former was unanimously adopted; with this modification, however, that the period of abolition should in no case extend beyond 1823. In reference to the second point, Lord Castlereagh communicated to the Congress the memorandum which he had furnished to the Duc de Richelieu at his own request; adding, that in the opinion of several persons of great weight and authority, nothing less than declaring the slave trade *Piracy*, and punishable as such by international law, by the unanimous accession of the maritime powers, would ever prove in any degree effectual in repressing the "scourge that had desolated Africa, degraded Europe, and afflicted humanity."

In consequence of these proceedings, notes were received from the Plenipotentiaries of Russia, Prussia, Austria, and France. That of Russia, in particular, while it professes to pronounce as a fundamental principle, a law characterising this odious traffic as a *description of piracy, and punishable as such*, proposes to

found an institution, on a central point of the coast of Africa, in the formation of which all Christian states should take part, and which, "declared for ever neutral and estranged from all political and local interests," should be specially charged with the execution of the law. The memoir of the French Government also professes much, and ends by proposing to do nothing; and with regard to the right of mutual search recognised between great Britain, Spain, Portugal, and the Netherlands, it declares, that the "dangers which peculiarly attach to their situation, prevent them from acceding to that measure," the only conceivable one, be it remarked, by which this most nefarious traffic can ever be effectually checked or destroyed. With respect to the Austrian and Prussian Cabinets, we cannot conceive what possible right or title they had to interfere, or to be consulted, in this great and important concernment. Without colonies, without naval force, without the possibility of their own subjects being in any degree benefited by the slave trade, or their interests impaired by its abolition, it may fairly be considered as one of the least explicable enigmas of diplomacy, that these powers were suffered, in any degree, to interrupt the proceedings on a measure which the increasing lights of the age will sooner or later rendered imperative on every government, and which they laboured to obstruct in its progress towards completion, solely from a jealousy of British naval ascendancy. It is scarcely possible, indeed, to be grave when perusing the lecture of the Prussian Plenipotentiaries against "the insupportable inconveniences of the concession of a right of search exercised on the high seas." A power not possessed by a ship of war above the

dimensions of a thirty-gun frigate, and few indeed even of this size, might have been supposed less jealous of the exercise of such a right, especially when Britain, the greatest naval power on earth, had consented to allow the exercise in the case of her own vessels, by the cruisers of Spain, Portugal, and the Netherlands. With regard to the clumsy machinery of a general association, founded, as was stated, on the primitive principles of Christianity, and gravely proposed by the Russian Cabinet, it appears to be a measure or device better fitted for a place in one of Kotzebue's German novels, than to form part of the recorded proceedings of a congress of the greatest Sovereigns in the world. Even if an institution, to be composed of such incongruous and jarring materials, could have been fairly established and set in operation, it is obvious, even if there were no other objection, that it would fall to pieces the instant war broke out among any of the high contracting powers; while it is difficult, if not impossible, to conceive how such an institution could have ever been made conducive to the attainment of an object which reason, religion, humanity, and enlightened policy alike unite to recommend.

That this was the view taken by the British diplomatists, is manifest from the slightest inspection of their able and masterly reply to the notes given in by the Plenipotentiaries of the other powers. After expressing, in strong terms, their disappointment that the disinterested and humane purposes of the British Government had been frustrated by the course adopted by the other cabinets, notwithstanding the solemn declaration and pledge unanimously given at Vienna in 1815, and stating that they derive consolation from the *homage*

to the principle of abolition, rendered by the respective Plenipotentiaries in their notes in reply to Lord Castlereagh's communication, they remark, that "it has been the fate of this question, in every stage of its progress, to have difficulties represented as insurmountable, which in a little time have yielded to perseverance, and to the matured impulses of humanity;" that "every nation, one excepted, has renounced this pollution;" and that even the King of Portugal had taken steps "to deliver his people, in no very long time, from a practice which must degrade them in the scale of enlightened policy, so long as it shall continue to be tolerated amongst them." With regard to the proposal of Russia, they doubt "the practicability of so novel and complicated a system," and declare, that nothing but raising slave-dealing to the standard of piracy in the criminal codes of all civilized nations, and branding slave-traders as "*hostes humani generis*," could prove effectual in extirpating a traffic, which cries to Heaven for vengeance against all those who openly patronise, or secretly tolerate it. They state that the simplest measures are sure to prove the most effectual, and ask why Russia, Austria, and Prussia should postpone to an indefinite period the final abolition, seeing even Portugal had conceded the right of visit north of the equator, "where the abolition has now been completed, as well by herself, as by Spain and all the other powers?" With regard to the qualified right of mutual search, "as if there were some moral incompetency in the French nation to conform themselves to the measure," they state the unanswerable argument, that "the British people, so sensitively alive as they are known to be to every circumstance that might impede their

commercial pursuits, or expose the national flag to an unusual interference; have betrayed no apprehension on the subject, and that *not a single remonstrance has been heard against it!*" And in conclusion they approve of the intended introduction into the French colonies of a registry of slaves, and declare their unalterable conviction, "that until all the principal powers consent to have as against the illicit slave-trader, AT LEAST ON THE COAST OF AFRICA, but one common flag, and co-operating force, *they will not have gone to the full extent of their means* to effectuate their purpose, *in conformity to their declarations at Vienna!*" Thus ended the conferences at Aix-la-Chapelle respecting the more effectual abolition of the slave trade; and thus have the hopes of the friends of humanity been cruelly disappointed by a conclave of Sovereigns and Ministers, who, with every human means to consummate this glorious moral triumph, have failed to consecrate the pacification of Europe by an act for which the wise and good of all after-times would have cherished their names in everlasting remembrance.

A variety of communications have been received by the directors of this institution, representing the vast increase of the slave-trade, and the evils arising from delay in issuing instructions to the vessels of war upon the different stations, in terms of the commissions under the conventions with Portugal, Spain, and the Netherlands. By a letter from Africa so late as December last, it appears that Sir George Collier, the naval commander on the coast, had then received no instructions as to the measures to be adopted in pursuance of these conventions. Motions were accordingly made, and agreed to without opposition, in both Houses of Parliament, for copies of all appointments

of commissioners to carry into effect the conventions with the above powers, dated respectively the 26th of July, 23d of September 1817, and the 4th of May 1818; and copies of all instructions, with their respective dates, to his Majesty's ships sent to the coast of Africa, since these conventions were concluded.

Notwithstanding the treaty entered into between Governor Farquhar and the King of Ovas, it appears by recent letters from the Isle of France, that the slave trade is still carried on with the island of Madagascar. Many hundred slaves have been imported since the signature of the treaty; and after all that has been done by the governor, there is reason to fear, that, amongst the Europeans settled in that quarter of the world, there exists no sincere or hearty disposition to discourage such importations. On the contrary, a determined hostility is invariably shown to every measure, the object of which is to prevent this enormous evil. Of three of these traffickers in human beings a salutary example has recently been made. Four individuals were brought from the Mauritius, charged with the crime of trading in slaves; but the Grand Jury found a true bill only against three, Phillippe Caday alias Philibert, Joseph Amand Tregrosse, and Louis Amand Clerausac, who were accordingly tried, convicted, and sentenced to three years' imprisonment, and to be kept to hard labour. This is the most lenient sentence allowed by Mr Brougham's Act.

In the neighbourhood of the French settlements of Senegal and Goree, the trade has been carried on with peculiar and increasing activity; and many persons both in France and Senegal have been proved to be concerned in this nefarious commerce. A gentleman recently arrived in this

country from Senegal where he had resided as a merchant ever since the colony was transferred to France (in 1817,) states that two French vessels, one belonging to Senegal and the other to Bourdeaux, took in cargoes of slaves at that place, and crossed the bar in presence of three French men of war and a brig. He also states as his belief, and as the general opinion, "that the officers of the Administration were interested in every cargo of slaves shipped off from Senegal; and the Captain of the Postilion, which had been detained, assured him, that his detention was owing to his not having purchased any part of his slaves from the Government officers!" It appears also, that a cutter named *La Sophie*, belonging to St Louis, Senegal, was detained by the com-

mandant of St Mary's, a British settlement at the mouth of the Gambia, for anchoring in the road there, with slaves on board, and ordered for adjudication to Sierra Leone; but the *Sophie*, after having left St Mary's, was actually met off the mouth of the Gambia by a French schooner, which captured and carried her, together with the British officer and crew, to Senegal, where they were detained for some time, and then, with the exception of one of the crew, sent back to St Mary's. A considerable slave trade is also carrying on at Allredrà and other places on the river Gambia. The slave trade carried on by Spain and Portugal appears, in its increase, to have kept pace with that of France*.

Accounts have been received from

* Information of a date subsequent to that from which the above outline has been compiled, not merely corroborates the statements we have given, but proves that the slave trade carried on by France, Spain, and Portugal, but especially the first of these powers, has increased to an extent altogether unparalleled, and been attended with atrocities and horrors the recital of which is shocking to humanity. Although it may be considered a species of anachronism, we cannot refrain from giving one extract illustrative of this melancholy fact. It is copied from a French medical work, (*Bibliothèque Ophthalmologique, ou Recueil d'Observations sur les Maladies des Yeux, &c.*) and exemplifies some of the worst horrors which attend the middle passage. "The ship *Le Rodeur*, Captain Boucher, left Havre on the 24th of January 1819 for the coast of Africa, and reached her destination the 4th of March following, anchoring at Bonny in the Calabar. The crew, consisting of 22 men, enjoyed good health during the outward voyage and during their stay at Bonny, where they continued till the 6th of April. They had observed no trace of ophthalmia amongst the natives; and it was not until 15 days after they had set sail on the return voyage, and the vessel was near the equator, that they perceived the first symptoms of this frightful malady. It was then remarked that the negroes, who, to the number of 160, were crowded together in the hold and between the decks, had contracted a considerable redness of the eyes, which spread with singular rapidity. No great attention was at first paid to these symptoms, which were thought to be caused only by the want of air in the hold, and by the scarcity of water, which had already begun to be felt. All this time they were limited to eight ounces of water a-day for each person, which quantity was afterwards reduced to the half of a wine glass. By the advice of Maignan, the surgeon of the ship, the negroes, who had hitherto remained shut up in the hold, were brought upon deck in succession, in order that they might breathe a purer air. But it became necessary to abandon this expedient, because many of those negroes, affected with nostalgia, (i. e. a passionate desire to revisit their native land) threw themselves in the sea, locked in each other's arms. The first of the crew who caught the infection was a sailor who slept under the deck, near the grated hatch which communicated with the hold. The next day a landsman was seized with ophthalmia; and in three days more the Captain and almost the whole of the crew were infected by it. The number of the blind augmented every day, and they were seized with the farther dread of not being able to make the West Indies, if the only sailor who had hitherto escaped the contagion, and on whom their sole hope rested, should become blind like the rest. This calamity had actually befallen the *Leon*, a Spanish vessel, which the *Rodeur* met with on her passage, and the whole crew of which, having become blind, were under the necessity of altogether abandoning the direction of the ship. (The *Leon* has not since been

Major Gray, who succeeded the unfortunate Major Peddie in the command of the expedition into the interior of Africa. From the unfriendly disposition of the natives, and the want of merchandise, he was compelled, after having arrived in the negro kingdom of Bondou, to retrace his steps to Bakel on the Senegal. There he meant to wait for intelligence from the chief surgeon of the expedition, who had been sent forward to Sego to solicit the protection of the King of Bambarra; and we learn from subsequent accounts that the surgeon had returned from Sego, and that Major Gray had received from Senegal the merchandise of which he was so much in want.

The funds of the institution are in a very low state, the nett receipts of the last last year hardly exceeding a thousand pounds. This is as truly lamentable as it is unaccountable. Surely public benevolence is flowing in an improper channel. The income of the British and Foreign Bible Society for the same year was within little of a hundred thousand pounds. Might not a portion of this enormous revenue be appropriately and beneficently employed in promoting the paramount cause of African civilization and improvement?

heard of, and in all probability was lost.) They entreated the charitable interference of the Rodeur; but the seamen of this vessel could neither quit her to go on board the Leon on account of the cargo of negroes, nor receive the crew of the Leon on board the Rodeur, in which there was hardly room for themselves. The Rodeur reached Guadaloupe on the 21st of June 1819, her crew being in a most deplorable condition. Three days after her arrival, the only man who during the voyage had withstood the influence of the contagion, was seized with the same malady. Of the negroes 39 had become perfectly blind, 12 had lost an eye, and 14 were affected with blemishes more or less considerable. Of the crew 12 lost their sight entirely, among whom was the surgeon; 5 became blind of one eye, one of them being the chaplain; and 4 were partially injured." Such is the account of the voyage of the *Rodeur*, as given by M. Guillié, in the medical work above referred to. But in this account one of the most horrid circumstances connected with the transaction is wholly omitted; namely, that the slaves who became blind were thrown into the sea, as they would have brought no return in the West Indies, and as ground would thus be laid for a claim on the underwriters, by whom the cargo had been insured. This additional fact we learn from the petition of M. Morenas to the Chamber of Deputies. When the circumstances of this case became known, a representation was made to the French Government, which, however, was so little attended to, that, in the interim, the one-eyed wretch, Boucher, was once more employed as master of a vessel fitted out on a new adventure to the coast of Africa; but of his subsequent fate no intelligence has reached us. • To the conduct of the Allies in general, and the French Government in particular, we would beg to oppose that of the Arab tribes in the neighbourhood of the Persian Gulf, with whom Captain Thomson some time ago concluded a treaty, in which he procured the insertion of the following article, viz.: "The carrying off slaves, men, women, or children, from the coasts of Africa, or elsewhere, and the transporting them in vessels, is plunder and piracy, and the friendly Arabs shall do nothing of this nature." It is something remarkable, that the principle proposed by Lord Castlereagh, in his note to the Congress at Aix-la-Chapelle, and which all his influence could not procure that august body to receive as part of international law, should have been first recognised as such by the Barbarian and Nomadic Tribes that inhabit the Borders of the Persian Gulf!!

No. III.

REPORTS, &c.,

ON THE

DIFFERENT BRANCHES OF PUBLIC ECONOMY.

I. AGRICULTURAL REPORT.

The winter of 1819 was mild and the spring early. In May vegetables were farther advanced than in ordinary seasons, and in every case held out the prospect of abundance. But about the end of the month, the weather became less favourable, the days being cold and ungenial, with frost in the evenings; and it continued so till about the middle of July. Some of the crops, especially potatoes and hay, were much injured during this period, and in many situations the orchards wholly failed. But in the latter part of July, and the whole of August, the temperature was high, often above 70°, which not only brought the corn crops speedily to maturity, but seemed to have re-

paired any damage that had been done to them by the previous state of the weather. Reaping became general in the south of England early in August; and by the end of September, the crops were secured all over Britain in the best condition, the important labour of the season having scarcely ever been interrupted. Winter, however, may be said to have commenced by the middle of October, before the potatoes were all saved, and prevailed with more than its wonted rigour to the end of the year.

The following is an Abstract of a Register of the Weather, kept on the Banks of the Tay, near Perth.

	Fair Days.	Rainy Days.	Quantity of Rain.	Mean Temperature.
January.....	13	18	3.372	37.7
February.....	12	16	2.191	36.5
March.....	23	8	.758	42.3
April.....	19	11	4.175	44.4
May.....	19	12	1.238	49.9
June.....	17	13	2.617	54.1
July.....	24	7	1.256	59.0
August.....	20	11	1.308	62.3
September.....	22	8	1.523	54.0
October.....	19	12	3.990	47.0
November.....	18	12	1.518	36.6
December.....	18	13	1.654	32.5
	224	141	25.600	46.33

Comparing this with a similar abstract in our last volume, it will be seen that the mean temperature is .64 lower than that of 1818, and that the quantity of rain is less by 1.797 inches.

At the commencement of the year, the average prices of grain in England were as follows, viz. Wheat, 79s. 3d.; Rye, 58s. 11d.; Barley, 63s. 10d.; Oats, 35s.; Beans, 72s. 4d.; Pease, 70s. 5d. the quarter. In February the ports were shut against foreign wheat; in May against rye and beans; and in August against all other kinds of grain; yet prices gradually declined till the end of June, and, after experiencing some advance in July and August, sunk again in October. For the week ending 25th December, Wheat was 64s. 11d.; Rye, 42s.; Barley, 36s. 3d.; Oats, 25s.; Beans, 48s. 1d.; and Pease 50s. 6d. the quarter. The average prices of the year were, Wheat, 73s.; Rye, 49s.; Barley, 46s. 8d.; Oats, 29s. 4d.; Beans, 55s. 5d.; Pease, 56s. per quarter, and Oatmeal 31s. 6d. per boll of 140 lbs. avoirdupois. The quartern loaf in London fell from 12d. to 11d.; and in Edinburgh from 11d. to 9d.;

the most common price in the former being 12d., and in the latter 10d. and 11d. The average prices of corn in Scotland, commonly only a few shillings below those of England, were this year greatly lower. In January the difference on wheat was 11s.; on barley 15s. 10d.; on oats 5s. 6d. the quarter; and on oatmeal 14s. 3d. per boll of 140 lb. avoirdupois.

This state of the markets seems to have occasioned some surprise among the corn merchants, and much alarm among the corn growers. By the former it had long been held as an established point, that the growth of the kingdom was not adequate to its consumption, even when consumption was somewhat diminished by high prices; and, acting under this impression, the occasional shutting of the ports under the act 1815 does not appear to have affected their habitual speculations in foreign grain, which it was never suspected we could long dispense with. Accordingly, when it was not allowed to be imported for sale, it was imported nevertheless and carried to the warehouse, the holders confidently anticipating its admission into our market, by the rise of prices,

within a few months thereafter. But the fall of prices this year, in the absence of any foreign supplies of consequence, would lead us to conclude (what subsequent events have confirmed,) that so great had been the extension of tillage, and the improvement of the soil during the war, as to render the produce of the United Kingdom in corn fully equal to its wants in favourable seasons.

The corn growers, however, would not admit that the fall of prices was owing to the abundance of our own produce. They ascribed it to the imports of the two preceding years, a great part of which, as they alleged, still hung upon the market. But though the quantity imported was certainly very great, as will be seen from the abstract below, yet the prices of 1817 and 1818 were so high as to prove that our own growth in 1816 and 1817 had been very deficient; and that all, or nearly all, the foreign supplies were really wanted for immediate consumption. That any considerable portion of them should therefore have been kept back at the time is highly improbable; and indeed the advance that took place immediately before harvest affords a strong presumption that the stores in this country, whether of native or foreign growth, had then become much exhausted.

When we look back to the prices of the latter years of the late war, during which many of the existing contracts between landlord and tenant must have been entered into, there can be no doubt that the prices at the end of the present year, which may be stated generally at one-third lower, must have occasioned much embarrassment and apprehension. But the complaints of a respectable body of our farmers seem to have been as premature, as the measures they proposed to be taken for their

relief were ill-judged and nugatory. So early as January, when prices, as we have seen, were comparatively high, petitions were presented to Parliament for high duties on foreign grain; and the number continued to increase throughout the year, in spite of the unfavourable reception the first of them met with from both sides of the house. Though sent up from different parts of the country, they were nearly all in the same terms, having originated with a few active individuals, calling themselves "The Agricultural Association," who regularly met in London for the purpose. These petitions complained of distress, which they ascribed to the admission of foreign grain, and prayed for the imposition of such duties as would have been equal to a prohibition, not only upon corn, but upon all other commodities which could be raised from the soil of the united kingdom.

By others, the fall of prices was ascribed to the rise in the value of money, produced by Mr Peel's bill for the restoration of the currency, which passed in June. It is admitted on all hands, that this measure must necessarily have lowered prices, and, at the same time, virtually raised rents and all other fixed money payments; but a great difference of opinion has prevailed as to the extent of its operation. Its effect has probably been greater than was anticipated by its advocates; for not only corn, but other kinds of produce, of which the supply cannot materially vary from year to year, and indeed commodities generally, seem to have gradually fallen in a greater degree than the paper price of gold, which was then not quite 5 per cent. above the mint price.

Live stock of all kinds, which sold at high prices in 1818, did not experience any depression till about

Midsummer of the present year ; but before the end of it, prices were considerably lower, with a tendency to sink still farther. Yet butchermeat was higher in proportion than corn, the usual quantity of stock not having been reared in 1816 and 1817; and, perhaps from the scarcity of their food in these two years, a greater number of cattle and sheep was then forced into the market. The retail price ranged between 6d. and 8d. per pound. Wool fell about a third below the price of 1818, but not below the average of a few years proceeding.

The fall of prices had not yet operated materially upon the wages of country labour, though, towards the end of the year, want of employment began to be felt in some places, farmers being no longer able to conduct their works of improvement with the same spirit as formerly.

The state of the corn trade of Britain, for the three years ending with 1819, is exhibited in the following Abstract, which is taken from official documents :

Years.	Imported from			Exported to		
	Ireland.	All other parts.	Total.	Ireland.	All other parts.	Total.
	Quarters.	Quarters.	Quarters.	Quarters.	Quarters.	Quarters.
1817	703,859	1,797,181	2,501,040	146,553	372,841	519,394
1818	1,215,791	3,522,729	4,738,520	26,388	91,145	117,533
1819	972,441	1,702,930	2,675,371	15,596	89,653	105,229
	2,892,091	7,022,840	9,914,931	188,537	553,619	742,156

Thus, the excess of the imports into Britain in these three years, was 9,172,775 quarters, or at the rate of 3,057,591 $\frac{2}{3}$ quarters yearly. But, independent of the trade with Ireland, which cannot be viewed in any other light than the trade between England and Scotland, or between the several districts of either, the total excess was 6,469,221 quar-

ters, and the yearly excess 2,156,407 quarters. It must be attended to, however, that nearly all the wheat imported in 1819, and a great part of the other kinds of grain, did not come into the market, the ports having been shut at different periods against the importation of foreign grain, except for the warehouse.

II. COMMERCIAL REPORT.

Although general complaints of the lowness of wages, and bankruptcies, the result chiefly of excessive adventure and speculation, were by no means unfrequent, we have plea-

sure in recording the progressive revival of British trade and commerce during the whole of this year. Discontents and disturbances of rather an alarming character prevailed, it

is true, in many of the manufacturing districts, such as at Manchester, Leeds, Huddersfield, Glasgow, Paisley, and Greenock; but these, we have reason to believe, were created more by the arts and designs of a few desperate demagogues, than by the pressure of the times, or the want of employment. Wages, it is admitted, were still low, but the industrious and peaceable had work in abundance, and there was every appearance of a gradual increase in the demand for our manufactured goods, which would have been necessarily followed by a corresponding amelioration of the condition both of the manufacturer and the operative. That, for several years prior to this, the labouring classes had been subjected to the severest privations and distress, is matter of the utmost notoriety. But a reaction had apparently commenced. The continental nations, the purchasers of our surplus manufactures, were slowly but effectually recovering from the hardships entailed by a ruinous and long-protracted war; and as their condition was bettered, the demand for the produce of British industry began to increase. Our cottons and our hardware, always in request, began once more to bring remunerating prices. In Manchester, Leeds, and Glasgow the good effects of this change soon began to be apparent. Workmen were in full employ, and wages were somewhat improved, with the agreeable prospect of their making still farther advances. This was particularly the case in Glasgow. In 1816, the total number of cotton packages imported into that place was so low as 41,918; in 1817, the number had augmented to 50,170; and in 1819, it amounted to no less than 62,145. By the impulse given to manufacturing industry, the consumption in 1817 amounted to 46,507 packages:

in 1818, it increased to 47,232: the returns for 1819 have not yet reached us; but, from many circumstances, we have reason to believe that the increase in that year, as compared with the preceding, has been still greater than that of 1818, as contrasted with 1817. The joint imports from the East Indies for 1817 and 1818 amounted to 9504 packages.

By a published statement now before us, it would appear that trade, at the Port of Leith, has likewise made considerable advances. The increase of foreign trade at that port in 1818, as compared with 1817, was one hundred and fifty-seven vessels inwards, and eighty-four outwards; that of the coasting trade, two hundred and thirty-nine vessels inwards, and two hundred and seventy-six outwards.

From the southern parts of England the accounts are equally favourable. Two years ago the iron-works were at a complete stand, and those employed in them reduced to the greatest distress; whereas at present they are hardly able to execute the numerous orders they have received. The price of the manufactured commodity still continues low, as was indeed to be expected; but if the workmen have not high, or even comfortable wages, they have employment and bread, with the prospect of a speedy addition to their comforts and enjoyments.

During the first five or six months of the year, sugars, coffee, and other colonial produce, except cotton, continued rather heavy, and declined considerably in price. About the middle of June, sugars suddenly rose in price, but towards the end of the month fell again to the former rate. A government contract in the same month for 80,000 gallons of rum, caused a considerable advancement in the price of that commodity; which, however,

was reduced by the subsequent arrival of very extensive consignments. Towards the close of this month the demand for coffee was very animated, and the prices for some time improved considerably: the market had been previously in a very fluctuating and unsettled state. Soon after, the price declined to the former rate. In August, both at London and the outports, the demand for cotton was brisk and extensive. Very considerable sales, for home consumption, were effected both at Glasgow and Liverpool. The amount of cotton imported from the beginning of the year till September, has been, Bengal 58,479 bales, Surat, 27,549; Madras, 4599; Bourbon, 515; Brazil, 9028; American, 2599; West India islands, 3775; and Smyrna, 298. The accounts from the East Indies state British goods to be in considerable demand in Bengal.

In the course of the two last months of the year, a considerable rise took place in the prices of sugars, caused, no doubt, in part, if not altogether, by recent intelligence of a destructive hurricane in the West Indies. The demand for cotton, previously on the rise, continued to augment in consequence of the news of the failure of the cotton crop in the East Indies. The result has been that prices have risen considerably. The price of rum continued unaltered.

The check given to the issues of paper by the resolutions adopted by the House of Lords on the 21st of May, and which subsequently led to the enactment of what has been called Mr Peel's bill, gave rise to much needless and ignorant clamour; for although that measure could not fail to have a powerful effect upon prices, to give a severe blow to speculation, and to advantage greatly the public creditor, it was forced upon Parlia-

ment by the necessity of the case, no less than by every principle of economical science. Had the system of 1797 been much longer adhered to, there can be no doubt that every thing like a measure of value would have gradually vanished. The depreciation of paper would have progressively increased; prices would have continued to rise; one class of the community would have been enriched, and all others ruined; contracts would have been only so many pieces of waste paper; gold and silver would have completely disappeared from circulation; and the Bank of England would have in a little time absorbed into itself the whole wealth and property of the kingdom. This state of things was not to be endured; and a return to the old standard had therefore become indispensable. But the malignant effects ascribed to this measure could not, even if real, be sensibly felt during the year the history of which we have to record. In December 1818, the bank issues, which a year before had amounted to £ 29,210,035, were reduced to £ 26,487,859; which is somewhat more than the quantity of paper in circulation in June 1816; and the resolutions of the Lords expressly provided, that the operations of the bank, in calling in a portion of their paper currency, should be gradual, not violent. The effect of these operations, therefore, could not be very sensibly felt at the period of which we write, except by speculators, and persons without capital, to whose projects, we grant, the measure necessarily proved fatal. All this is proved by the state of our exports and imports for the year 1819.

The following account of the total real, or declared value of the produce and manufactures of the united kingdom, exported from Great Britain, during each of the three years ending on the 5th of January 1819,

will give our readers a better idea of the gradual improvement of our commerce and industry than could possibly be accomplished by observations of a general character :

1817.	1818.	1819.
L. 42,955,256.	L. 45,626,253.	L. 48,903,760.
Total and Official Value of Foreign and Commercial Merchandise exported from Great Britain to all parts of the world.		

1817.	1818.	1819.
L. 14,545,256.	L. 11,534,616.	L. 12,287,274.
An Account of the Total Value of all Articles imported into Great Britain during each of the three years ending on the 5th of January 1819, as calculated at the official rates of valuation.		

	1817.	1818.	1819.
Foreign and Colonial Merchandise, }	L. 26,406,634	L. 29,962,913	L. 35,880,983
Produce of Ireland and the Isle of Man, }	L. 3,698,931	L. 4,002,318	L. 4,276,654
Total value of imports,	L. 30,105,565	L. 33,965,231	L. 40,157,637

Hence it appears that the produce and manufactures of the United Kingdom, exported during the year ending on the 5th of January 1819, exceeded the manufactures exported during the year ending on the same day of January 1818, by no less a sum than L. 5,277,507; and that the imports of the former exceed those of the latter by L. 6,192,406. If this be not symptomatic of improvement in our commerce and national industry, we know not what is. The powers of production and the powers of

consumption appear to have received nearly a commensurate increase. There can be little doubt, we think, that our capital, science, machinery, and enterprise will render this prosperous commencement progressive; and that the demand for the products of British labour will augment in proportion as the nations of the Continent recover from the miseries and sufferings to which they were so long subjected, and as they advance in wealth and knowledge.

We subjoin a Table, shewing the Prices of Bullion per ounce during the year 1819.

Months.	Portugal Gold in Coin.	Foreign Gold in Bars.	New Doubloons.	New Dollars.	Silver in Bars, Standard.
January,	L. 4 5 0	L. 4 3 0	L. 4 1 6	L. 0 5 5½	L. 0 5 5½
February,	—	4 3 0	—	0 5 9	0 5 7
March,	4 1 0	4 1 6	4 2 0	0 5 6	0 5 6
April,	—	—	—	0 5 6	0 5 6
May,	4 0 6	—	—	—	0 5 5
June,	—	3 19 6	—	0 5 0	0 5 2½
July,	3 18 0	3 18 0	3 16 6	0 5 0	0 5 2
August,	3 18 0	3 18 0	—	0 5 0	0 5 2
September,	3 17 10½	—	3 14 6	0 5 0	0 5 2
October,	3 17 10½	3 17 10½	3 13 6	0 5 0	0 5 2e
November,	3 18 0	3 18 0	3 15 6	—	0 5 2e
December,	3 17 10½	—	3 16 0	0 5 0	0 5 2e

MEDICAL REPORT.

Under this head we mean to confine ourselves to a simple detail of a few of the more prominent facts, relative to public health, furnished by the different medical reporters for the year, without indulging in any speculative remarks on a subject which professional men are alone competent to handle in a proper manner.

A Committee of the House of Commons were lately engaged in an investigation of the causes and cure of insanity, a malady which has, for some time past, been on the increase in this country; but no satisfactory information, we regret to say, was elicited by a long and arduous inquiry. Of the practitioners and other persons connected with the receptacles for persons labouring under mental infirmity, scarcely two were agreed, either in their mode of accounting for the disease, or in the treatment proper to be prescribed; one recommending purgatives, another vomiting, a third tonics, a fourth phlebotomy, and a fifth mercurials and alteratives. With one class, the cold, and with another, the hot bath was the favourite remedy: and while a few derided all medical interference in cases of mental sickness, by far the greater number held, that, in propitious circumstances, no disease whatever can resist the powers of medicine, properly applied. Amidst such a number of conflicting statements and opinions, it was hardly to be expected that the Committee could arrive at any definite or very important conclusions. It would seem, however, from the documents published relative to the course of regimen pursued at the Retreat at York, and other places conducted upon the same enlightened principles, that se-

clusion in some cases, air, exercise, and society in others, with mild and humane treatment in all, afford the only prospect of eradicating this, the greatest, evil with which human nature is afflicted. Every separate case should in fact be made a separate study, and the regimen judiciously and carefully adapted to the condition, habits, and previous life of each individual patient. Experience has happily proved, that there are comparatively few cases so settled and malignant in their character as not in time to yield to the constant and unwearied observance of this, the only system, which reason, religion and humanity alike unite to recommend.

In the course of the month of March, scarlatina, in every variety of form, and in every degree of virulence, was epidemically prevalent in London and its vicinity. It would also appear, by the Report of the Dispensary of the New Town of Edinburgh, for the quarter ending on the 1st of this month, that fevers were as prevalent as in the quarter ending on the 1st of December preceding; while the whole number of cases had been increased by 374. The proportion of fevers to other complaints had therefore diminished. On the 1st of December it was as 1 to 9; on the 1st of March it was as 1 to 10.9. The greatest exertions have been made by the Managers of the Royal Infirmary of Edinburgh, to accommodate all the fever patients who applied there, and we understand that the number of such patients who applied there and at Queensberry House averaged above 160 in the month, for several months prior to March. Contagion has been stated to be the exciting

cause of by far the greater number of the cases of fever existing in Edinburgh. For the unusual prevalence of scarlatina in London, and its immediate neighbourhood, we have heard no specific cause assigned. In adopting both remedial and prophylactic measures, the practitioner must always look for much assistance from the beneficent provisions of nature; but as to the general efficacy of these measures, when early resorted to, the experience even of a single Dispensary seems to furnish conclusive evidence. The misfortune often is, that many cases become utterly hopeless before medical advice or assistance is sought for; and hence the remedies that might be expedient, or absolutely save life, at the commencement of the disease, cease to be available in its more advanced stages, or, if resorted to, might be attended by the most fatal consequences.

Small-pox has been more prevalent in Edinburgh than usual, and six of the cases are marked as variola post vacciniam. A few cases of a similar description occurred in the western district of the city of Lon-

don Dispensary. But these instances were extremely mild in their character; none of the patients, whose constitutions had been previously fortified by vaccination, died; and only in a few individuals, with whom this was not the case, has the contagion of small-pox produced symptoms answering to the descriptions of chicken-pox, as given by Dr Heberden, and by Dr Thomson in his paper on the Varioloid Disease. Measles, however, have been extensively prevalent among the poorer classes; but the mortality has chiefly been among children of feeble constitutions, and among those who had previously suffered from whooping-cough, or long continued catarrhs.

Many cases of death by poison having occurred in the course of the year, we think we cannot do better than exhibit, in a tabular form, for speedy reference, when individuals qualified to administer antidotes can not be suddenly called in, the substance of M. Orfila's valuable and ingenious work on poisons.

<i>Substances.</i>	<i>Symptoms.</i>	<i>Corratives.</i>
Concentrated acids: the vitriolic, nitric, oxalic, &c.	Burning pain, vomiting. Matter thrown up effervesces with chalk, or salt of tart, lime, or magnesia.	Calcedined magnesia: one ounce to a pint of warm or cold water. A glassful to be taken every two minutes, so as to excite vomiting. Soap, or chalk and water; mucilaginous drinks afterwards, such as linseed tea, or gum arabic and water.
Alkalies: soda, ammonia, lime.	Nearly the same: the ejected matter does not effervesce with alkalies, but with acids.	Vinegar and lemon juice: spoonful or two in a glass of water very frequently; simple warm water.
Mercurial preparations: corrosive sublimate, &c.	Sense of constriction in the throat: matter vomited sometimes mixed with blood.	White of eggs: twelve or fifteen eggs beat up and mixed with a quart of cold water. A glassful every three minutes. Milk, gum water, linseed tea.
Arsenical preparations: white arsenic, &c.	Extreme irritation, pain, sickness, and speedy death, if the poison be not soon counteracted.	Warm water with sugar, in large quantities to excite vomiting. Lime water, soap and water, pearl-ash and water, mucilaginous drinks.

Substances.	Symptoms.	Correctives.
Preparations of copper, brass, &c. verdigris, halfpence, pins, &c.	Symptoms nearly the same as from mercury.	White of eggs: (See under mercury,) mucilaginous drinks.
Preparations of antimony: emetic tartar, &c.	Extreme sickness, with other symptoms of poison, as above stated.	Warm water, or sugar and water; afterwards a grain of opium, or fifteen drops of laudanum every quarter of an hour, for two or three times.
Nitre.	Obstinate vomiting, sometimes of blood, &c.	Same as for arsenic, with the exception of lime water and alkalies.
Phosphorus.	Like mineral acids.	Same treatment.
Lead: sugar of lead, Goulard's extract, &c.	Great pain in the stomach with constriction of the throat, &c.	Large doses of Glauber's, or Epsom salts, in warm water.
Opium, henbane, hemlock, nux vomica, deadly nightshade berries, mushrooms, &c.	Stupor, desire to vomit, heaviness in the head, dilated pupil of the eye, delirium, and speedy death.	Four or five grains of tartar emetic in a glass of water; if this does not succeed, four grains of blue vitriol, as an emetic. No large quantities of water. After the poison has been ejected, give vinegar, lemon juice, or cream of tartar. Strong coffee also is useful.

In and about London, affections of the parotid and submaxillary glands constituted one of the epidemics of June. In a few cases these proceeded to suppuration; but for the most part the swellings subsided after a few days' continuance, and were succeeded by no unpleasant consequences. In the Report of Diseases treated at the Dispensary of the New Town of Edinburgh, it appears, that during the quarter which ended at the commencement of June, cases of fever had been as numerous as in the preceding, although the epidemic was visibly on the decline. Of the 203 cases enumerated, less than a fourth had occurred in the previous month of May. Instances of epidemic catarrh or influenza also made their appearance, but not to any extent; it had the ordinary symptoms of pyrexia, and in some cases was with difficulty distinguished from continued fever. In general, however, the tongue was less furred, the sensorial functions less disturbed, and but little pain felt in

the back. This distemper is contagious, as appears from many members of the same family being afflicted with it. Considerable debility and mental depression accompanied this disease, and rendered convalescence frequently very slow: hence it is easily distinguishable from common catarrh or ephemera.

The two following months were not, as far as we have learned, remarkable for the prevalence of any particular malady; but towards the middle of September, affections of the stomach and bowels became common. Several obstinate cases of convulsive asthma also occurred, but were speedily subdued by half-grain doses of the extract of stramonium, repeated every four hours, as recommended by Dr Kirby in his "Cases in Surgery." The following month ushered in numerous instances of catarrhal, rheumatic, and inflammatory disorders, as well as affections in the bowels; which probably proceeded from the violent alternations of temperature which took place about this

period, the thermometer (Fahrenheit's) having, in the course of a few days, ranged from 74° to 29° . The vicissitudes of the previous month were hardly less remarkable, the extremes being 76.5° and 42.5° . But these distempers having generally proved spasmodic, unmixed with any inflammatory or congestive tendencies, speedily yielded to anodyne medicines. It is a remarkable circumstance, that in December the excess of the maximum above the mi-

nimum temperature was nearly as great as in some of the preceding months, a difference of 38° having been experienced in the course of a few days. In our climate, where such violent alternations of heat and cold are comparatively rare, these remarkable vicissitudes could hardly fail of generating an unusual number of diseases, and of proving very injurious to delicate health and feeble constitutions.

RELIGIOUS INTELLIGENCE.

As a proof of the prodigious impulse given to human opinion, on matters of religion, by the British and Foreign Bible Society alone, it is only necessary to mention, that since its establishment in 1804, it has issued, or caused to be issued, 3,437,088 Bibles and Testaments, in *one hundred and twenty-six* different languages and dialects; and as a farther proof, that the means of this powerful institution are neither impaired, nor its zeal and industry relaxed, we find, upon turning to the accounts and documents, published in the Appendix to the Report for the year, that the *net* receipts amounted to L. 94,306 : 17 : 10, which, added to former balances, placed at the disposal of the society, the enormous sum of L. 125,335, 13s. 4d.; and that, in the course of 1819, the issues of Bibles and Testaments exceeded those of the preceding year by 65,930: the gross number having been 260,031 copies. These are facts of gigantic dimensions, and require no comment.

The proceedings of this society, throughout the vast extent of its

range and influence, have this year been characterised by great vigour and activity, and, in many instances, been attended with very considerable success. New societies have been established; former institutions, whose means were limited, have been liberally subsidised, and stimulated to renewed and increasing exertions; the distribution of the Scriptures has been greatly extended, both at home and abroad; men of talents, learning and industry have been sought for, and liberally remunerated, for superintending or undertaking the translation of the Scriptures into remote, barbarous, and comparatively unknown dialects: the translations of the Scriptures into the languages, and dialects of India, China, and the Indian Archipelago, are, by the exertions of the Missionaries at Serampore, and other persons, either directly retained by the society, or occasionally supported by it, in a state of great forwardness; and, in a word, no pains seem to have been spared to promote the great object for which the society was instituted,—the indiscriminate

dissemination of the Holy Scriptures among all classes, orders, and nations of men on the earth!

The most remarkable feature in the religious intelligence of this year is the organization of a Bible Society at Paris, under the immediate patronage of the French Government! The Marquis de Jaucourt, a peer of France, and Minister of State, is president. The British Society, together with a donation of L. 500, have placed at the disposal of this infant institution 500 German Bibles, and 300 Testaments; and 1000 French Bibles, and as many Testaments, of Ostervald's version from Basle; together with 1000 Testaments of the same version, from the stereotype plates at Paris, to enable it to commence immediate operations. The example of Paris has been followed by Bourdeaux, Montauban, and Nismes. In its second year the Bible Society of Strasburgh distributed 689 Bibles, and 1119 Testaments. Various editions of the Protestant Scriptures are printing at Paris, Montauban, and Toulouse; and of the Catholic New Testament of De Sacy, stereotyped at Paris, many thousand copies have been distributed among the Catholics in different parts of France. The United Netherlands Bible Society has announced a distribution of the Scriptures nearly double of that of the preceding year. In Switzerland the Bible Societies are also in full operation; that of Basle, in particular, has seven presses constantly at work, in printing three separate editions of the Bible. At Neufchatel and Lausanne, they are occupied in printing the quarto edition of Ostervald's French Bible; and it is calculated that from Constantine alone 30,000 Catholic Testaments have been issued. The Bible Societies of Germany and Prussia

have also increased both in number and efficiency; and in Hanover, under the patronage of the Duke of Cambridge, no less than 12,000 copies of the Scriptures have been distributed among the people. Within a period of nine months the Bible Society of Frankfort on the Maine distributed 4916 Bibles, and 2161 Protestant, and 1260 Catholic Testaments. An edition of the Bible, amounting to 10,000 copies, is nearly ready for distribution in the kingdom of Wirtemberg; and in Saxony the same number have been recently completed. At the suggestion of Dr Pinkerton a new edition of the Lithuanian and Polish Bible is about to be undertaken by the Königsberg Bible Society. In Denmark the same zeal is displayed, and great progress has been made; 5266 Danish Bibles and Testaments having been issued. His Danish Majesty has given 4000 rixdollars in aid of the society's funds. The Sleswick Holstein Bible Society already enumerates 108 Auxiliary Societies and Associations, and has distributed 12,000 copies of the Scriptures. The Committee of the British Society presented this thriving institution with the stereotype plates for Luther's German Bible, in consequence of which an edition of 10,000 copies has been commenced. In Sweden the number of copies of the Scriptures, distributed in the course of the year, has equalled that of the two preceding years united; and the National Society has found a zealous patron in Bernadotte. An edition of 10,000 copies of a quarto Bible is about to be commenced. But it is in Russia that the operations of these societies have been most brisk and animated. Translations are undertaken with promptitude, and supported with liberality. In Petersburg alone editions are preparing in eleven

languages ; and, during last year 72,000 copies were printed in *eight* different languages. The total, either printed, or printing by the Russian Bible Society amounts to *fifty-nine* editions, comprising 270,600 copies, in *twenty-one* languages !

Such is a rapid outline of the progress of Bible Associations in Europe. In the East, the co-operation and benevolent intentions of the Parent Institution have also been pretty warmly seconded and acknowledged. The Calcutta Auxiliary Society has completed two editions of the entire Bible, two editions of the New Testament, and a small edition of St Matthew's Gospel, in four Asiatic languages, the Armenian, the Malay, the Hindostanee, and the Bengalee. A revised edition of the Malay Bible, in the Arabic character, had been commenced, and measures taken for printing a version of the New Testament by the Rev. Mr Pritchett in the Telinga or Telooogo language. A new society, designated, "The Sumatran Bible Society," of which Sir Thomas Stamford Raffles, Governor of Sumatra, is president, has been formed in that island ; and liberal subscriptions have been already obtained for its support. China presents little more than "the pleasures of hope." The Scriptures, translated into Chinese, both at Serampore and Canton, have been as extensively disseminated, as the nature of circumstances, and the most watchful and jealous, because the most feeble despotism upon earth, would permit. Still, even from Mr Milne's account, the benefits to be derived from the zeal of the Missionaries, and the exertions of the society, are merely prospective and contingent.

From New South Wales, from Africa and from America accounts of

affiliated and kindred institutions have been received, but they present little that is either interesting or useful. In America, there is certainly great scope for the exertions of the society's benevolence. The American Bible Society appear to be sensible of the force of this truth ; for they seem at last to have begun to bestir themselves. No less than ten presses were at work for the purposes of the society when the last report was drawn up. This affords us much pleasure ; for we had believed that America was the country of the whole world where religion was least regarded ; nor are we yet satisfied that our opinion was altogether unfounded.

The Bible Societies in the West Indies appear to be in a very quiescent state. This was to be expected. It is impossible that the planters can ever cordially co-operate in introducing Christianity among the black population. Negro slavery would be in peril ; and who would be so insane as to compare the comforts and consolations of Christianity, dispensed to a poor African, with the indispensable luxuries of sugar and rum? *A priori*, we should have said, that Christianity and slavery were incompatible ; but the example of America has cast a doubt on the truth of this, as of many other judgments and opinions which men had formerly held. A cynic, however, might allege in defence of our axiom, that the Christianity, like a good deal of the pretended liberty of America, is only nominal. *No man can be a Christian who buys and sells human flesh!*

The following works have been wholly or nearly completed during the past year, viz.

1. The Irish New Testament in the vernacular character, 300.0 copies, upon stereotype.

2. The Manks Bible, containing the Old and New Testament in one volume, 5000 copies.

3. The German Pocket Testament, 10,000 copies.

4. The Portuguese Testament, for the use of Catholics, from the version of Antonio Pereira, (printed at Lisbon,) 5000 copies.

5. The Portuguese Testament, from the version of Joam Fereira de Almeida, (printed at Batavia,) 5000 copies.

6. The Arabic Psalter, from the version printed at Mount Lebanon, 3000 copies.

7. The Hindostanee New Testament, by Martyn, 5000 copies.

8. The Malay New Testament in the Roman character, 10,000 copies.

9. The ancient and modern Greek Testament, in parallel columns, 8000 copies.

10. The completion of the Syriac Gospels and Acts of the Apostles printed under the inspection of Dr Buchanan.

11. The Turkish New Testament at Laris, 5000 copies: Besides various editions of the English Scriptures, from the authorised presses.

In addition to English Bibles and Testaments, the principal works now in course of preparation are,

1. The Portuguese Bible, from the version of Joam Fereira de Almeida, 5000 copies.

2. The Malay Bible, in Roman character, 5000 copies.

3. The Malay Bible in the Arabic character, 5000 copies; and 5000 extra Testaments for the Netherlands Bible Society.

4. A new Translation of the Testament into Modern Greek, by an Archimandrite of Constantinople.

5. The Syriac Old Testament, 4000 copies quarto, to accompany the New Testament, already printed.

On Thursday the 20th of May the General Assembly of the Scottish Church was opened by the Rt. Hon. the Earl of Morton, his Majesty's High Commissioner; and on that and the following day the Assembly were occupied with the usual routine business. In truth, if we except Mr Anderson's case, which was that of a minister acting as factor or commissioner for the Duke of Gordon, the proceedings of this reverend body were, upon the present occasion, nearly destitute of any general interest. Mr Anderson's case was argued chiefly on points of form; the Presbytery having taken up his case in his absence, without citation, and the Synod having made a new case of it altogether. The Assembly were obviously much perplexed between what they felt to be due to the clerical character, and to those secular interests to which the clergy are as alive as the laity. All agreed in disapproving of a clergyman's engaging in such occupations as interfere with the proper discharge of his pastoral functions; but the difficulty of drawing the line between those occupations which are harmless and those which assume a different character seemed equally impressed on the venerable Court.

On Tuesday the 25th, a petition was read from Dr A. Small, minister of Stirling, appellant, against a sentence of the Synod of Perth and Stirling, of date the 20th of March preceding, allowing Dr Knox to tender a dissent and complaint against that part of the conduct of the Presbytery at their last meeting, when Dr Knox was present, in which they received and sustained a presentation and other papers, in favour of Mr Andrew Bullock to be minister of Alva, in respect there was no man-

date from the presentee produced, authorising any persons to lay these papers before the Presbytery. After hearing parties, and a short debate, it was finally agreed, without a vote, to sustain the appeal and reverse the sentence of the Synod.

On Wednesday the Assembly took into consideration a petition from Dr A. Small and Mr J. Dempster, members of the Presbytery of Stirling, dissenters and complainers against a sentence of the Presbytery, of date the 27th of April last, respecting the election of elders in the town and parish of Stirling. Another petition was also given in by three inhabitants of Stirling against the same sentence. Parties and their counsel being fully heard, and removed, a long debate took place, in the course of which Dr Inglis moved, "To dismiss the complaint and appeal, and approve of the conduct of the Presbytery, but at the same time supersede the interlocutory judgment of the Presbytery appealed from, in order to the Assembly pronouncing a final judgment on the whole case: And the Assembly do accordingly express their high disapprobation of a selection of additional elders entirely out of the congregation of the East Church of Stirling, to the exclusion of that of the West Church; and appoint the kirk-session of Stirling forthwith to make such an election and ordination of elders as shall equalize the number of elders connected with each of the respective congregations. At the same time the General Assembly earnestly recommend to the Magistrates and Town-Council of Stirling, and all concerned, to consider whether measures ought not to be adopted for procuring a division of the town and parish of Stir-

ling into two separate parishes, each of which may be provided with a separate kirk-session." In the sequel this motion was carried by a great majority.

The report of the Committee on the means of education in great cities, and of religious instruction in jails, which was read on Friday, proved that the recent investigations in the South had not been lost upon the clergy of our national church. The report, however, discloses no new views. The Rev. Mr Douglas made some energetic and pointed remarks on the experiments sometimes made on the minds of criminals previous to execution. These were received with great impatience, and the speaker literally overwhelmed by clamour. An argument is not very conclusively answered by noise. Without meaning or intending that a criminal should be denied the consolations of religion at a moment when their support is peculiarly necessary, and, above all, when it imports his future welfare that he should be led to entertain correct notions of his past conduct, we hold that it is no less abhorrent to the genuine principles of religion, than dangerous to the well-being of society, that a felon should be encouraged in the idea that a late repentance may atone for a life of crime, and that eternal felicity follows such repentance as a matter of course. But we abstain from any further comment.

On Saturday the Assembly were occupied with mere business of routine during a considerable portion of the sitting; and on Monday (the 31st), after receiving the reports of various committees, and disposing of some other business, his Grace the Commissioner dissolved the Assembly in the usual manner.

LITERARY INTELLIGENCE.

FRANCE.—In the beginning of the present year there was published at Paris, by M. le Comte Chaptal, a work entitled, "*De l'Industrie Française*," in which the *ancien ministre de l'Intérieur* enumerates in detail both the sources and the products of French agricultural and commercial industry. From the cadastral operations and other data, M. Chaptal estimates the extent of territory yielding a revenue, in some shape or other, at 52,000,000 hectares; the gross average amount of the crop of all kinds (calculated from the mean of the 14 years immediately preceding) at 119,106,766 hectolitres; the wool, silk, and hemp raised at 81,768,422 kilogrammes; and the products of manufacturing and commercial industry at 1,820,102,409 francs.

The sequel of Denon's splendid work on Egypt, the first part of which appeared in 1809, and the second in 1811, having been recently published, we subjoin a synoptical view of its various and interesting contents.

The Description of Egypt consists of three parts—1. *Antiquities*; 2. *Modern State*; 3. *Natural History*. In the first the places are described according to their geographical position, in going from the south to the north, from the island of Philæ to the Mediterranean, and from the east to the west, from Pelusium to Alexandria. In the *Natural History*, the mineralogy has also been arranged from the south to the north. The *Antiquities* comprise all the monuments anterior to the conquest of Egypt by the Arabs: every thing that is posterior to that epoch is comprehended in the *Modern State*. Each of these three parts has several cor-

responding volumes of plates and of text.

The first volume of *Antiquities* comprehends, independently of the island of Philæ, all the country situated between the last cataract and the city of Thebes; namely, Syene, Elephantina, Ombos, Selselch, Elethya, Edfû, Esneh, and Erment. The second and third volumes are formed entirely of the antiquities of Thebes, and comprise all the *papyri*, paintings, and other subjects found in the sepulchral chambers. The fourth and fifth volumes contain the monuments situated below Thebes; namely, Dendera, Abydos, Antæopolis, Her-mopolis Magna, Antinoë, Fayoum, Memphis, the grottoes, and the rest of the Heptanomid; Lower Egypt, Heliopolis, Canopus, Alexandria, and Taposiris. To these are added the collections of hieroglyphics, inscriptions, medals, vases, statues, and other antiques.

The first volume of the *Modern State* comprehends Upper and Middle Egypt; Cairo and Lower Egypt, with the isthmus of Suez and the environs. The second volume comprises Alexandria, the collection of arts and trades, that of costumes and portraits, that of vases, household furniture, and instruments,—and lastly, that of inscriptions, coins, and medals.

The two volumes of *Natural History* are composed of the *mammifera*, the birds, and the fishes of the Nile, of the Red Sea, and of the Mediterranean; of the insects of Egypt and Syria; of the *vermes*, *mollusca*, and *zophytes*; of the plants; and of the rocks, simple minerals, and fossils of Egypt, and the peninsula of Mount Sinai.

The plates are distributed in the following order :—1. General and topographical plans ; 2. Particular plans of edifices, sections, and elevations ; 3. Details of architecture ; 4. Bas-reliefs, paintings, statues, ornaments, &c. The total number of plates is eight hundred and forty, forming nine volumes, exclusively of the *Geographical Atlas*, in fifty sheets, forming a separate section.

"The Text is composed, 1. Of an historical preface, and of an explanation of the plates ; forming a tenth volume of the same size as the engravings, that is, *large atlas* : 2. Of several volumes of descriptions and of memoirs, divided into three classes, corresponding to those of the plates, and distinguished, like them, by the title of *Antiquities*, *Modern State*, and *Natural History*. These volumes are all of the size of *medium folio*.

The *Descriptions* of the cities, and of the monuments, form as many chapters as there are places described or represented, and are arranged in the same order as the plates. Their object is to make known the ancient and the present state of the places described ; and this exposition is accompanied by historical and geographical remarks.

The *Memoirs* consist of researches and dissertations on general or particular subjects ; such as the physical state of Egypt, the history and geography of the country, legislation and manners, religion, language, astronomy, arts, and agriculture, among the ancient and modern Egyptians. These memoirs are placed one after the other without any determined order, like the *Academical Collections*.

* According to "*Recherches sur les Bibliothèques Anciennes et Modernes*," &c. there are in Paris five

public libraries, besides about forty special ones. The Royal Library contains about 350,000 volumes of printed books, besides the same number of tracts, collected into volumes, and about 50,000 manuscripts ; the Library of the Arsenal contains about 150,000 volumes, and 5000 manuscripts ; the Library of St Genéviève about 110,000 volumes, and 2000 manuscripts ; the Magazine Library, about 90,000 volumes, and 3437 manuscripts ; and the City Library, about 15,000 volumes. In the provinces, the most considerable are those of Lyons 106,000 ; Bourdeaux 105,000 ; Aix 72,670 ; Besançon 53,000 ; Toulouse 50,000 ; Grenoble 42,000 ; Tours 30,000 ; Metz 31,000 ; Arras 34,000 ; Le Mans 41,000 ; Colmar 30,000 ; Versailles 40,000 ; Amiens 40,000. The total number of these libraries in France amounts to 273 ; and above 80 of these, the quantity of volumes is not known. From the data given in this work, it appears, therefore, that the grand total of those which are known, amounts to 3,345,281, of which there are 1,125,626, in Paris alone.

Count Volney has recently published an elementary work, under the title of "*The European Alphabet applied to the Asiatic Languages*." It is the sequel of another of his productions, entitled, "*A Simplification of the Oriental Languages, or a new and ready Method of acquiring the Arabian, Persian, and Turkish Languages, by the means of European characters*." With the Roman alphabet, and a few additional signs, the author proposes to express all the Asiatic idioms ; and thus to facilitate literary researches into the languages, history, sciences, arts, and immense literary stores, of Asia.

This elementary work, which is dedicated to the Asiatic Society of Calcutta, is divided into five chap-

ters, but may be more properly comprised in three parts, the first of which consists of definitions respecting the general system of sounds uttered, and the letters or signs intended to represent these sounds. In the second part, the author explains, and discusses all the vocal or tonic pronunciations employed in the languages of Europe. These are reduced to nineteen or twenty vowels, and twenty-two consonants, agreeing nearly with those of the richest of the Asiatic languages, particularly the Sanscrit. The twenty-five or twenty-six letters of the Roman alphabet are not sufficient to represent all the variations of the voice, at the same time that this alphabet possesses the great advantage of presenting the simplest forms, and also that of being employed throughout Europe, America, and the European colonies of Asia. Our author proposes to render it universal, by drawing from the basis itself of this well-known alphabet, the other simple signs necessary to convey foreign sounds. In the third part, Mr. Volney gives a practical exemplification of his theory, by applying it to the Arabic alphabet, that being one of the most complicated of the Asiatic alphabets, and after having analyzed this alphabet in all the processes of its formation, he resolves it entirely into the European characters, and others, equally simple, deduced from them. This process may be applied to the Turkish, Persian, Syriac, Hebrew, and Ethiopian languages, and even to the Sanscrit and Chinese.

M. Esquerol, physician of the *Salpêtrière* at Paris, has put a pamphlet, describing the establishments for lunatics in France, and the means of ameliorating their condition. This writer expresses an honest indignation against the barbarous treatment almost universally exercised throughout the Depart-

ments on the unfortunate victims of insanity. Not only in France, but in England; and Germany, he has found them, he says, "lying on wet straw, in filthy infectious cells, without fresh air, or water to quench their thirst, loaded with irons, and driven about with blows, and scourges, like so many wild beasts." To ascertain how far the ameliorations introduced into the asylums at Paris had been copied in the provincial establishments, the doctor made it his business to inspect personally all the houses for the reception of insane persons, throughout the kingdom. The present publication is but the programme of a larger treatise, wherein he intends to detail the observations made at each house, hospital, or prison, respectively; as also to institute a comparison of the usages in France with those of other countries, and especially of England.

The third and last part has lately appeared of *L'Histoire d'Astronomie Ancienne*, par M. Delambre, Perpetual Secretary to the Royal Academy of Sciences, &c. Ancient astronomy is generally supposed to have terminated with the school of Alexandria, and modern astronomy to have commenced with the era of Copernicus. M. Delambre deviates from this opinion, and commences his chronology of the middle age in the ninth century, and terminates it at the year 1579. Rejecting received authorities and dates, he computes his two extremes from the most ancient of the writings left by the Arabian astronomers, and the publication of a treatise on Astronomy by the geometer Vieta. The author first considers the astronomy of the Arabs, and other Orientals; then that of the Europeans; and lastly, the history of gnomonics. This history he brings down to the end of the seventeenth century. He differs from Bailly and others, as to the high antiquity of the

science among the Chaldeans, no books or monuments having come down to us to verify the fact.

Count Forbin * has just published, at Paris, his *Travels in the Levant*, in a splendid work, embellished with no less than seventy-eight fine plates in the lithographic manner. The Colossus of Thebes, known by the name of Memnonium, the Count observes, has frequently been mistaken for the statue of Osymandyas. Strabo asserts that it was named Ismandès. These words were derived from *Os Smandi*, to give out a sound; a property possessed, it was said, by this statue, at the dawn of day and at sun-set. Its true name was Amenophis. It was visited by Germanicus. On its legs are to be seen Greek and Roman inscriptions, attesting the prodigy of the harmonious sounds emitted by this colossus, which distinctly pronounced the seven vowels. It is not difficult to believe, that mechanism, ingeniously contrived by the priests, was the sole, or at least probable cause of this miracle, which ceased in the fourth century of the Christian era. At Megara, a particular stone also gave out sounds when it was struck by an instrument of iron.

The principal other literary novelties of the year were "New Principles of Political Economy, or Riches as connected with Population," by J. C. L. Simonde de Sismondi; the "History of Cromwell," by M. Villemain; the "History of the Republic of Venice," by P. Daru; "Chronology of the Greek Kings of Egypt, Successors of Alexander the Great," by M. Champollion-Figeac; the *Parvenus* of Madame la Comtesse de Genlis, which passed through three editions in four months; *Thé-*

èse Aubert, by C. Nodier and "Jerusalem Delivered," translated into French verse, by P. L. M. Baour-Lormian.

M. Caillaud, a young traveller, who has been visiting classical antiquities, &c. in Turkey, Egypt, and Nubia, is now at Nantes, his native city. He is preparing for another tour to the same countries, and receives from the government all the instructions and supplies he may have occasion for.

Captain Roussin, who, by order of the French king, in 1817 and 1818, explored the western coasts of Africa, from Cape Bojador to Mount Souzos, has addressed a memoir to the Minister of Marine, containing the substance of his observations. He points out a number of errors and defects in all the charts up to 1817.

SPAIN.—At Paris has been published, in one volume 8vo, *An Essay on the Commerce and Interests of Spain, and of her Colonies*, by F. A. de Christophoro d'Avalos. The author was formerly in the Spanish Ministry, which, with the subject of his work, is recommendation sufficient of his performance. He makes a number of judicious observations on Spanish industry, with the causes of its decay; on the encouragement required by the arts; on Population, the Clergy, the Religious Orders, &c. He considers impartially the advantages and disadvantages accruing to Spain from the discovery of America, with the consequences dependent on the loss of America as a source of wealth. This essay affords means for estimating the present state of literature in the country of Calderon, of Lope de Vega, and of Cervantes, and glances at the reforms to be expected from the impulse of European civilization,

* This, if we are not mistaken, is the worthy gentleman Arab Hassan, to assassinate the intrepid and indefatigable Belz

of having hired

and the progress of knowledge; reforms absolutely necessary both to governors and governed.

PORTUGAL.—The Baron de Sao Lourenço, principal Treasurer of Brazil, Knight Commander of the Orders of Christ and of the Conception, and one of the Council of his most faithful Majesty, has completed a translation of Pope's *Essay on Man*, into Portuguese verse, confining his version to exactly the same number of lines as the original. To the text he has added various comments, historical, critical, and explanatory, enlivened by extracts from the works of many of the best writers in the Greek, Latin, Italian, French, Spanish, Portuguese, German, and English languages. The work will shortly be published in this country, and will form three volumes in quarto. The avowed object of the work is to encourage a taste for Literature and the Fine Arts in the Portuguese dominions, and it has the immediate sanction of the King of Portugal and Brazil, to whom it is dedicated.

GERMANY.—The Archduke Charles has lately published at Vienna, a *History of the Campaign of 1799 in Germany and in Switzerland*. This work, says the illustrious author in his preface, may be considered as a sequel to that which he published in 1813, under the title of *Principles of Strategy, illustrated by the Campaigns in Germany in 1796*. Marshal Jourdan (the opponent of the Archduke) has also published, by way of reply to the latter work, *A History of the Campaigns of 1796*. It may be hoped that a History of the Campaign of 1799 will also be published on the part of the French.

M. Bauer, capitular vicar of the cathedral of Wurtzburg, is about to publish a very important work on botany, mineralogy, and meteorology.

This book is the fruit of the observations and discoveries which he made in travelling over the mountains of Rochné. The basalts contained in these mountains have so great a polarity, that they act upon the magnetic needle, even at a great distance. A fragment of these stones, of about two pounds weight, produces a greater effect on the magnetic needle, than a quintal of iron. A remarkable quality of the basalts, is, that they manifest polarity at the same time, and on all the points, and attract, with the same degree of strength, either point of the magnetic needle. For this reason, it is almost impossible to make use of the compass in these mountains. M. Bauer found, that the polarity of porphyry was equally great.

The three Bavarian Universities of Wurtzburg, Erlangen, and Landshut, have just obtained great advantages from the munificence of the government. The first has received a new organization; the number of its professors has been increased, and its library considerably enriched. The University of Altorf, suppressed since 1809, has been incorporated with that of Erlangen, the library alone of which has acquired, by this union, an increase of 40,000 volumes. The government has, moreover, made a present to that University of the country seat formerly occupied by the Dowager Margravine Caroline of Brandenburg and Bayreuth. The garden belonging to it is to be transformed into a botanic garden, and the buildings, by which it is surrounded, will be employed as clinical establishments. Several distinguished men of science have been called from different foreign countries to fill the vacant professorships in the University of Erlangen. The endowment of Landshut has been, in like man-

ner, augmented; and the prosperity of that University increases more and more, like that of the two others.

The *Literary Journal* of Vienna, which, after four years' duration, ceased to appear at the commencement of the year 1817, has been continued, since 1818, under the title of *Literary Annals*, and enjoys the particular protection of the government. It is published quarterly. Although foreign literary productions are not excluded from this journal, it is chiefly occupied by every thing that relates to the arts and sciences in the Austrian states. The works, of which an analysis is therein given, are not, therefore, exclusively books written in German, but likewise in the Italian, Hungarian, and even the Croatian languages.

We learn from German publications, that in the month of November last, all the Physicians not matriculated at the University of Vienna were called together, in order to be officially informed of a resolution taken by the Supreme Council, by which the practice of Animal Magnetism is generally prohibited throughout the dominions of the Emperor of Austria. Several of the Doctors of Vienna, who are known to be empirical practitioners of this art, have been publicly censured, and threatened with an entire suspension of their functions, in case of their continuing to have recourse to the operations of magnetism. Directions to the same effect have been given to all the Governors of Provinces, as well as to all houses and hospitals established for the recovery of health in the Austrian Monarchy.

Since 1817, there has appeared at Pesth, a literary journal, entitled, *Tudományos Gyűjtemény*, (the *Scientific Magazine*;) published by Traf-fner, and edited by Mr George Fejer, professor of dogmatics in the University of Pesth, who has already

distinguished himself by some philosophical works, both in Latin and in Hungarian.

According to the *Ephemerides* of Wiemer, Vienna has eight public libraries, three of which contain 488,000 volumes; viz. the Imperial Library, 300,000 printed books, exclusive of 70,000 tracts and dissertations, and 14,000 manuscripts; the university library, 108,000 volumes; and the Theresianum, 30,000. The number in the other five is not exactly known.

The Royal Library at Munich possesses 400,000 vols.; the library at Göttingen, (one of the most select,) possesses 280,000 works or numbers, 110,000 academical dissertations, and 5,000 manuscripts; Dresden, 250,000 printed books, 100,000 dissertations, and 4,000 manuscripts; Wolfenbüttele, 190,000 printed books, (chiefly ancient,) 40,000 dissertations, and 4,000 manuscripts; Stuttgart, 170,000 vols. and 12,000 bibles. Berlin has seven public libraries, of which the Royal Library contains 160,000 volumes, and that of the Academy 30,000; Prague 110,000 vols.; Gratz 105,000 vols.; Frankfurt on the Maine, 100,000; Ham-burgh 100,000; Breslau 100,000; Weimar 95,000; Mentz 90,000; Darmstadt 85,000; Cassel 60,000; Gotha 60,000; Mainz 55,000; Mell in Austria, 35,000; Heidelberg 30,000; Werningerode 30,000; Neuburg in Austria, 25,000; Krems Munster 25,000; Augsburg 24,000; Meiningen 24,000; New Stritz 22,000; Saltzburg 20,000; Magde-burgh 20,000; Halle 20,000; Land-sberg 20,000. Thus it appears, that thirty cities of Germany possess, in their principal libraries, above three millions of works or volumes, without taking into account the academical dissertations, detached memoirs, pamphlets, or manuscripts.

RUSSIA.—The University of Dor-

pat has just received a new organization, for which it is indebted to the indefatigable zeal of its benevolent and enlightened director, Count de Lieven. The number of students has more than doubled, and nothing is now wanting to give a new impulse to this valuable institution.

At the University of Moscow, the terms have almost all recommenced. Their interruption, at the time of the great fire, has had, in many respects, advantageous results, as well for the professors as for the students. The salaries of the former have been increased, the sphere of their instruction has been enlarged, and the various branches better arranged. The number of students, last year, amounted to upwards of two hundred. The Gymnasium, joined to this University, has been in like manner reopened, and several new preceptors have already been appointed.

The Greeks, who form the greater part of the population of Odessa, are all animated by an excellent spirit of improvement, and display the greatest zeal for the general good of Greece, their native country. By voluntary and abundant subscriptions, they have established a school, and intrusted it to eight able professors, at the head of whom are Messrs Genadios and Macris, both highly distinguished as men of science. The Governor of Odessa, Count de Langeron, gives the greatest encouragement to the professors and the students. Besides the annual donations made to the school, four ho insurance, established and managed by Greek merchants, a deduction in favour of annual profits, the amount of for the year 1817, was 53,802 or about L.11,000 Sterling. Several merchants have deposited funds the establishment of a printing-off on a large scale, intended to propa-

gate knowledge throughout Greece.

A few Greek amateurs have, from time to time, represented theatrical pieces, the produce of which representations is appropriated to the benefit of the hospitals of Odessa. They lately gave, for the second time, the *Philoctetes* of Sophocles, translated into modern Greek by M. Piccolo, a young savant of distinguished merit, who has since composed an original tragedy, called the *Death of Demosthenes*. The success of this piece was prodigious; the plaudits were interrupted only by the tears of the spectators; and the general enthusiasm was such, that the Greeks immediately determined to form and maintain a company of performers of their own nation, under the direction of M. Avraniotti.

PRUSSIA.—The King has recently purchased the herbal and the library of the late Professor Wildenow, in order to present them to the University of Berlin. M. Wildenow was one of the most celebrated botanists of the present period, and the author of several valuable works on that science.

As the practice of Animal Magnetism is still followed on the Continent, and even studied as a science, the class of Physical Sciences of the Academy of Berlin has proposed, by order of the Prussian Government, a prize of three hundred ducats, for the best application of the phenomena of Animal Magnetism, and of the experiments made down to the latest period, divesting them of the marvellous, which has hitherto been mingled with them. This is placing the subject, where it ought to be, in the hands of the intelligent; and as the Government has interfered in it, it may be hoped that considerable light may be obtained, and both opinion and practice regulated by the sentiments of the judicious.

SWEDEN.—The Academy of Sciences of Stockholm had granted to Professor Nilson, a sum of money for the purpose of undertaking a tour in Norway, the principal object of which was ornithology. Mr Nilson has just made known to the academy the result of his tour. This interesting narrative abounds with many new observations. Other sums have been assigned by the same academy for making, in Sweden, researches relative to mineralogy and geology, as well as for prosecuting meteorological observations in Lapland.

Among the many improvements which have taken place under the administration of Charles John, the reigning Prince, must be distinguished a new collection of Hymns, intended to take the place of those heretofore in use, which were introduced in 1695; also, a new public version of the Bible; the New Testament, part of which is already completed; a New Code of Laws in great forwardness, some of its parts being finished; ~~as~~ also a Military Institution for the regulation of the Army, chiefly as to its economy. The capital also expects to acquire additional facilities for public instruction of a superior kind, by an important establishment, under the name of a Gymnasium.

DENMARK.—The Danish Sculptor, Thorwaldsen, at Rome, has proposed to the government of his country, the purchase of a series of bas-reliefs, representing the *Triumph of Alexander*. These bas-reliefs were ordered eight or ten years ago for the Imperial Palace at Rome; but, by the course of events, they have remained on the hands of the artist. The sum asked for them is 15,000 scudi. Endeavours are making to raise this sum by voluntary subscription.

M. Thorwaldsen has very lately

finished four bas-reliefs, intended to ornament the royal residence of Christiansburgh, at Copenhagen.

The King of Denmark has granted a pension of eight hundred crowns, during two years, to four men of letters, to enable them to travel into foreign parts, for the benefit of making observations. The gentlemen thus honoured are Messrs Rask, philologist; Ingemann, poet; Clauzen, divine; and Henry Goede, of Kiel, naturalist. Dr Zeise, a naturalist, and the botanist, Schow, have also obtained additional means to continue their travels and studies abroad.

ITALY.—The Count of Bevilacqua, at Verona, has published a notice of the fragments of Roman Jurisprudence, discovered among the MSS. of the Library of the Chapter of Verona. These MSS. were thought to be lost, by Mabillon and Montfaucon, in the seventeenth century; but since that time Maffei and the Canon Carinelli published a Catalogue of them. A part of these was carried into France in 1797; but restored in 1814.

We should not be surprised if the spoliations committed by the French, with the returns of the stolen goods, should give occasion to the publication of several catalogues of a like nature. It is not enough that the learned should know where certain documents and authorities once were: they desire information, also, where they now are, and where they may now be inspected.

•The *Thesid* of Boccacio has lately been published at Milan, after a ~~very~~ and correct manuscript. There existed before this only three editions, which were not only very rare, but very incomplete. The Editor is Sig. Giovanni Silvestri.

At Turin is announced, a complete edition of the Works, or *Theatre* of Shakesp. Each volume will con-

tain two or three plays; which will be accompanied by prefaces from the pen of A. G. Schlegel, translated into Italian, with critical and historical notes, by M. Leoni. It is but just, that while the Italian poets form a part of the studies of the polite, in all countries, and in our own particularly, our bards should also become familiar in Italy. We anticipate much information and pleasure from Mr Schlegel's accompaniments.

GREECE.—The progress of that civilization, which is the constant attendant or consequence of letters, continues to be rapid. The number of schools of the second order, or Gymnasias, augments daily. The principal establishments of the kind are at Smyrna, at Kydonios (a small town of eight or ten thousand inhabitants, opposite the island of Lesbos,) and in the island of Chios. A young man, a native of Kydonios, mentioned above, has staid long enough in the printing-office of M. Didot, at Paris, to perfect himself in the art of printing. His daughter of the Professor of the Gymnasium in that town, named Erianthia, not more than eighteen years of age, has translated into modern Greek, Fenelon's work on the Education of Daughters. The inhabitants of Chios have held meetings for the purpose of raising subscriptions in order to establish a Public Library.

M. Koumas, Director of the New Greek College at Smyrna, arrived time ago at Vienna, for the purpose of causing several works to be printed. He has already published the first two volumes of his *Constitution of Philosophy*, composed in modern Greek, to which is prefixed a letter to M. Maurois, containing salutary advice to his compatriots, and exposing the fallacies of those friends to desp

tism, who oppose the propagation of knowledge and learning. The same author has translated into modern Greek, and published for the benefit of his countrymen, *Schell's Elementary Chronology*, translated from the French; and *Tenneman's Abridged History of Philosophy*, translated from the German. These are dedicated to M. Nicolaides, a Greek merchant, settled at Odessa, who has paid the expenses of publishing these works for the advantage of the rising generation. More than three hundred copies of them have been given by order of M. Nicolaides, to young students, who have distinguished themselves, by their promptitude in learning, and by their good conduct and fair character.

Letters from Corfu, dated in January last, inform us, that M. Gerasimos Pizzamanos, a native of Cephalonia, and formerly pupil of M. Percier of the French Institution, and of the French Academy at Rome, has returned from traversing various districts of Greece and Asia Minor, where he has visited numerous monuments of antiquity. He is now at Corfu, with his portfolio filled with a great number of beautiful drawings. The Government confided to him the undertaking of furnishing plans for the palace of the Grand Master of the new Order of St Michael and St George; and his designs having been adopted, he has also been employed to make drawings for a new Grand College, and for other public establishments; in which, no doubt, he will display additional proofs of his natural talent, cultivated and improved by extensive study and much reflection; and we may again see the Fine Arts of Greece revive, and perhaps establish themselves, in their native soil.

THE FINE ARTS.

A great deal of common-place cant has been both talked and written on the pretended infancy of the Arts of Sculpture and Painting in Great Britain; and various theories, all of them unfounded, and many of them absurd and nonsensical, have at different times been invented and put forth to account for this supposed anomaly. Freedom, it is said, is congenial to the expansion of the human mind, whether in its intellectual or imaginative exertions; and it is therefore the more wonderful that in this the only free country in Europe, the arts of design should still continue in so depressed and inferior a state. Now, assuming the fact to be as these theorists suppose it, there will be little difficulty, we think, in accounting satisfactorily for the alleged inferiority, in genius and execution, of our native artists.

In despotic governments, like those of Rome, Venice, and Genoa, where the whole genius of the people is forced into one channel, and where fortune and eminence can only be acquired by the chisel or the pencil, it is natural to expect the highest degree of excellence in the few departments in which genius can either exert its innate energies, or expect a commensurate reward. But patronage ever follows the bent and direction, whether natural or artificial, of genius. The same Pontiff who caused Tasso be crowned in the Capitol, consigned Galileo to the dungeons of the Inquisition. The object of his esteem and regard was not philosophy but poetry; not the sober deductions of reason, but the brilliant creations of the fancy. The former are dangerous, because they enlighten; the latter are honoured

and rewarded, because they illustrate and adorn. The spirit of inquiry is fatal alike to superstition and despotism; while the arts of poetry, painting, sculpture, and even architecture, have been employed, to consecrate and hallow, as it were, the greatest scourges of the human race. "*Sint Maccenates non deervnt Marones,*" said Martial; and the observation applies felicitously to the point under consideration. The ardent patronage which the Italian Pontiffs and nobles extended to the Fine Arts, rendered excellence in them the certain road to distinction and affluence. Need we then wonder, that as the competition was keen, so the results were exquisite; that, with the refined models of ancient greatness, taste, and genius, lying in profusion around them, the artists of Italy should have distanced those of every other country in Europe?

How differently are matters circumstanced in a free country like our own? There the paths to eminence, to glory, and to riches are innumerable. The bar, the senate, the field; science, literature, commerce, agriculture, each presents its appropriate allurements and rewards. The national mind, if we may say so, is, in some measure, subdivided, and each chooses for himself the particular career, in which, from nature or adventitious circumstances, he is most likely to realise the objects of his ambition. Hence but comparatively few can devote themselves to the pursuit of the Fine Arts, which, while they require immense labour and study, promise only a distant and precarious reward. But let us look to those arts which are more particularly congenial to a free go-

vernment oratory and poetry—and then ask ourselves, how much we are inferior to Italy or any other nation? What country in Europe, for example, can produce any specimens of eloquence to be compared with the orations of Burke, Fox, Pitt and Sheridan? what bar or bench can rival the judicial exhibitions of Dunning, Mansfield, Erskine, or Ellenborough? what dramas or epics are fitted to eclipse the glories of Shakespeare, Spencer and of Milton? These are the imperishable monuments of freedom, identified almost with the very physical existence of the old, and with that of a large portion of the new world.

But farther, we hold that mere patronage will never create *absolute* excellence in the Fine Arts. Nor do we believe that all the Leo's and Medici's ~~or it~~ would have ever elicited the genius of Raffaele, Buonarotti, Correggio, Da Vinci, Dominichino, or the Carracci, but for the monuments of the free-born genius of ancient Rome, with which the minds of these great artists grew up in close and intimate familiarity. These men only caught, reflected from the ruins of ancient greatness and art, a portion of that diviner mind, the impress of which these monuments still bore, and employed in adorning superstition, or entwining with flowers the fetters of despotism, that art which they had learned amidst the relics of ancient greatness and renown; thus, by a strange retribution, ensnaring in the drapery wrought out by the lofty and original genius of antiquity, the foul and odious forms of a dark and senseless superstition.

But, after all, is the state of the Fine Arts in our own country so very deplorable as some fastidious travelled cognoscenti and virtuosi would pretend? If Italy has at present her

Canova, have not we our Chantrey? and if we can produce nothing to equal the inimitable bas-reliefs of Thorwaldson, has not Rome borrowed him of Denmark? Have not the portraits of our own Lawrence met with unqualified admiration even in Rome itself? And who but an arrant driveller would pretend to undervalue the genius of Wilkie or Allan? We hold that, at this moment, the Fine Arts are in a more promising state in Britain, than in any other country in the world. By the munificence and taste of our nobility and gentry, the want of models can no longer be complained of. The works of the great Italian, Spanish, French, and Flemish Masters have been purchased at whatever price, and freely and liberally exhibited to public admiration, and to form and direct the public taste. Indigenous genius has been sought out, fostered, patronised, and rewarded. A general love of the arts has increased, is increasing, and cannot be diminished. Hence the augmenting number of the candidates for fame which every year's exhibition brings forward; and hence the presage that we draw of the future ascendancy of this great country in the Fine Arts,—an ascendancy which, in the arts that minister to national wealth, comfort, and happiness, she already incontestably enjoys. But we must leave these speculations, and descend to the less pleasing, but more useful task of recording facts.

In the April of this year, an exhibition of the works of the ancient masters took place at Edinburgh. This was the commencement of a new era, and ought to be hailed with delight and exultation by every lover of art. Among the pictures exhibited, a very general preference appeared to be given to those of Claude Lorraine, than which none show a

finer mind, or represent the *beau idéal* in greater perfection. Next in the scale of merit was placed the *Fortune of Guido*, a duplicate of the celebrated picture by the same master in the Vatican. The Vatican *Fortune*, however, is more delicately coloured, and exhibits a greater warmth of tint than the picture in this exhibition; but in other respects the two pictures are nearly equal in merit. The *Land Storm* by Poussin is a very grand composition, and seems to have been rated very highly by all those who had not seen his *Déluge*, perhaps the *chef d'œuvre* of that great master, the classical purity of whose forms, unrivalled as it confessedly is, he always renders subordinate to the story of the picture, in telling which he never had, and we believe never will have any equal. This remark will be perfectly intelligible to all those who have seen the great masterpiece to which we have just alluded.

Of the works of Hobbema, so little known in this country, this exhibition contained two, the very counterparts of those of Claude Lorraine, who threw so exquisite a glow over every object he represented. He lived on the skirts of an old forest, and his best pictures are a delineation of the different combinations which its aged forms exhibited. The vigour of his drawing cannot, however, be surpassed, and, in some measure, atones for the cold and lowering atmosphere with which he delights to invest his subjects. Two pictures by Velasquez, the greatest ornament of the Spanish School, were also in this collection, the portrait of the Pope, and a Cavalier on horseback. Some defect in the position of the legs of the noble animal on which the cavalier is mounted, was pretty generally remarked by those conversant in the different attitudes and positions of

the horse. The *Sea Storm* by Ver-net was considered one of the sublimest pieces of that celebrated master. Its materials are taken from Italian scenery, the round tower on the left hand being the Tower of Cecilia Metella near Rome, and the cliffs beyond it, the rocks of Terracino. This picture is decidedly superior to the Storm Piece by the same author in the Louvre. The cabinet picture of the Madona and Child by Correggio was also greatly admired, even by those who were most conversant with the other works of that great artist. It exhibits all his delicacy and softness of shading; while the countenance of the infant displays that heavenly sweetness of expression which so peculiarly characterises his productions.

These were the most remarkable works exhibited on this occasion; and we regret that the necessity of compression forbids us to dwell at greater length on the excellencies of this delightful collection, than which the Continent could boast of but few, either of greater extent or more distinguished merit: in landscapes, in particular, it would be difficult in the same compass to find its equal.

Sig. Raffaelli has succeeded in forming at Milan a considerable establishment for executing works in Mosaic, especially on a large scale: at present this establishment is occupied in executing a copy of Leonardo da Vinci's famous picture of the Last Supper. This Mosaic will cost 24,000 ducats: it is unquestionably one of the largest of its kind; since it measures 30 feet in length, 5 in height. It is for the Emperor of Austria.—Mosaic is a kind of work in which, by means of small pieces of glass, figures and representations of all kinds are produced. It is the most tedious of operations, but has the advantage of

being indestructible by the air, or by ordinary accidents. It was much practised by the ancients; and some of their Mosaics, more than two thousand years old, yet remain in good condition.

In the course of the season Mr Allan produced a picture, the subject of which is the celebration of Mr James Hogg, the Ettrick Shepherd's Birth-day; and which displays his usual felicity in the disposition of his lights, and the grouping of his figures. The picture is intended as a good-humoured quiz of certain individuals composing a club of some notoriety, called the Edinburgh Dilettanti Society.

The magnificent collection of pictures, which formed the Cabinet of the late M. Burtin at Brussels, has been brought to the hammer. The *Death of Abel*, esteemed the masterpiece of Guido, the fine Murillos, and other celebrated pictures, which have for some time been exhibited by M. Snyers of Antwerp, have been purchased by Government, or rather taken at a valuation, to liquidate a public debt, the proprietor being a defaulter in his capacity of tax-gatherer. The magical portrait of Rubens, called the *Chapeau de Paille*, which has long been in the possession of a private family at Antwerp, has been lately sold for a large sum to a descendant of the painter. This is the picture said to have been purchased for the Duke of Wellington at Aix-la-Chapelle. The magnificent Altar-piece, *The taking down from the Cross*, and other celebrated works of Rubens, now restored to the Cathedral of Antwerp, have been copied by Reinagle, an English artist, and the copies are much admired even in presence of the originals.

The Exhibition of the Works of the modern Flemish Artists displayed

considerable talent, particularly some fine groups of cattle by De Kay, (in landscape,) in the manner of Cuyp. There were also some excellent portraits by Naviz, a pupil of David, and by the Chevalier Odevaire, and Olls, who have studied at Rome.

Three beautiful Frescoes of Dominichino have been removed, by an Italian artist, from the damp wall of the Palace Farnese, where they must have speedily perished, and placed upon canvas. Thus saved from slow, but inevitable destruction, they will prove interesting examples of the peculiar powers and advantages of this branch of art.

At the July Exhibition of the Fine Arts in Florence, were displayed the Casts of the Marbles which Lord Elgin brought from the Temple of Minerva, at Athens, (the Parthenon), and which now form the principal ornament of the National Museum of Britain. These casts are a present from the Prince Regent, in return for which, some of the finest statues in the celebrated Gallery at Florence are to be modelled and sent to his Royal Highness. Among them is the celebrated groupe of *Niobe and her Children*. The above valuable and advantageous exchanges in the Fine Arts have taken place in consequence of the suggestions of the British Envoy, his Excellency Lord Burghersh.

None of the modern discoveries of Grecian Sculpture can be considered as more important or interesting, than that of the Statues, which adorned the east and west pediments of the Temple of Jupiter Panhellenios, in the Island of Egina. The only two which are of equal consideration, the discovery of the *Niobe and her Children*, in Rome, in 1583, and more recently, of *The Muses*, in the Villa Hadriana, occurred at pe-

riods more favourable to the study and practice of the Fine Arts. Recently after their exhumation, they passed into the hands of Thorwaldson, the Danish sculptor at Rome, who was employed by the Prince Royal of Bavaria, their present possessor, in uniting the broken fragments, and restoring the few parts of them that were deficient; a task which that eminent artist performed with admirable skill and sagacity. The discovery of these precious relics of antiquity was, in a great measure, owing to the taste and enterprise of a British subject, C. R. Cockerell, Esq., who recomposed the groups as they were successively excavated, in such a manner as to give the highest satisfaction to the most eminent artists at Rome.

Various conjectures have been offered as to the subject of the compositions intended to be represented by the sculptures of these pediments, the statues having a marked distinction of character, as of well-known personages: nothing satisfactory has yet been suggested. The actions of the Æacidæ, the tutular deities of the Eginetans, offer nothing explanatory, although a resemblance may be traced to Homer's description of the combat between Hector and Ajax over the dead body of Patroclus *. Some light may perhaps be thrown upon this subject by a close examination of Greek Vases,

on many of which we find Minerva represented as present at an heroic combat, encouraging the warriors, and often precisely in the position and attitude in which she appears on the pediment of the Panhellenion of Ægina. As Minerva presides in both the groups which decorate this temple, some have supposed that the Panhellenion was dedicated to that Goddess; but it should be considered that, as the emanation and symbol of the wisdom and power of Jupiter, Minerva was appropriately placed in the exterior of the edifice, within which the more sacred statue of the King of gods and men received the homage and worship of the Æginetans.

In the temple of Ægina, we have a very remarkable and ancient example of the Grecian practice of painting their sculptures; for the style and execution of the colours found on the statues and ornaments of the Panhellenion prove that they must be coeval with the original construction. In order to relieve the statues, the tympanum of the pediment was of a clear light blue; and large portions of the colour were seen on the fragments as they were raised from the ground. The moulding both under and above the cornice was also painted; the leaf was red and white, and the superior moulding of the cornice painted in encaustic. The colours being on

* The description alluded to is as follows:

Αψ δ' ἐπὶ Πατρίκλῳ τίτατο κρατερὴ ὁμήνη,
 Ἀργαλίη, πολυδάκρυς· ἔφειρε δὲ νίκος Ἀθήνη,
 Οὐρανόθεν καταβᾶσα· ῥέοι γὰρ ἑρυσπαφίους
 Ὀρνύμενοι Δαναούς· δὴ γὰρ νῶϊσιν ἔκειτο αὐτοῦ.

Il. xvii 543.

Colonel Leake is inclined to think that these beautiful lines indicate the exact moment of the struggle chosen by the Sculptor of the pediments of the Panhellenion. He also remarks, that the *ὁμήνιδες* observed on all the figures on the spectator's left hand, together with the absence of those articles of Grecian dress in the other division of the work, seem to prove that the subject is taken from the war of Tröy. The detail of the sculptures seems strongly to support the opinion of the gallant Colonel.

marble had long disappeared, but the relief, in which the part so covered was found, indicated very perfectly its outline.

In considering a custom which appears so extraordinary to us, it must be recollected, that although the Greek buildings were grand in conception, their scale of dimension was small, and that, therefore, they required a greater nicety and delicacy in the execution. The colours served as the means of distinguishing the several parts, and of heightening the effect by variety, so as to relieve what might be otherwise inanimate and monotonous. To paint white marble, or other stone exposed to the action of the atmosphere, appears very extraordinary to us; but it ought not to be forgotten, that, in Greece, the mildness of the climate and the purity of the atmosphere rendered works of finished execution infinitely more durable than in our northern climate, and admitted consequent refinement of sculpture and painting, of which we can have but little idea. The inhabitants of northern latitudes are, therefore, obliged to lavish upon their interior apartments those luxuries of ornamental art, which the ancients, who passed a great portion of their time in the open air, in their fine climate, bestowed upon the exterior of their temples and public edifices.

The British Gallery this year contained one hundred and fifty-six pictures of every description, among which were specimens of the most distinguished Italian, Flemish, and French Schools. The liberality of the Prince Regent contributed some of the finest Gaspar Poussins in existence, besides productions of Titian, Claude, Rubens, Vandyke, Parmigiano, Del Sarto, Tintoretto, Holbein, and the splendid Cartoon of the Sacrifice, besides some fine Cuyp's,

Rembrandt's, Potters, &c. &c. The Duke of Wellington has contributed some excellent Flemish drolls, and masterpieces of Snyders, together with two examples of Platza, painter unknown to us. The Earl of Carlisle is the donor of many interesting pictures; the Earl of Darnley of some grand Salvators; the Marquis of Bute of an incomparable Hobbema, &c.; the Right Honourable Charles Long of Teniers' Misers, &c.; and Viscount Ranelagh a delicious Cuyp.

The Fifteenth Exhibition of Paintings in oil and water colours, at Spring-gardens, displayed much talent in both the branches of the art to which the exhibition is devoted. Among those particularly remarked were some fine landscapes by Stark, Miss H. Gouldsmith, Prout, Deane, Lippell, T. Fielding, Varley, C. Fielding, Robson, &c. The miniatures were numerous, and many of them well executed. Among the water-colour pictures in the historical style was 'Falstaff acting the King, from the first part of Henry IV.' by Richter; which, both in conception and execution, possesses very considerable merit.

We have not room for more than a bare enumeration of the most striking pictures in this Annual Exhibition of the talent of British Artists, at the Royal Academy. These were a Portrait of Chafrey, by Raeburn; Theatrical Portraits, by G. Clint; View of Rotterdam, by Calcott; Entrance of the Meuse, a masterly sky, by Turner; Lending a Bite, a humorous little thing, by Mulready; The Penny Wedding, one of Wilkie's best painted and most characteristic compositions; The Stolen Kiss, from Guarini, Pastor Fido, West; Portraits of the Messrs Lyell, a charming picture, Phillips; An Interior and Designs for Boccaccio, exquisitely done, by Stot-

thard; Venus Anadyomene, a beautiful piece, by Howard; Morning Fishermen, one of Collin's most perfect landscapes; Richmond Hill, an uncommon and splendid work, by Turner; Highland Chief, by Raeburn; Captain Manby, in a fine broad style, J. P. Davis; the Post-Office, E. V. Rippingille; Jacob's Dream, by W. Allston, equal to the foremost productions of the season; Aladdin, richly coloured, by Stewardson; Sir Roger de Coverley, a very clever thing, by C. R. Leslit; A Lady in a Reuben's manner, R. R. Reinagle; Calandrino, a droll story from the Decameron, H. P. Briggs; two Landscapes by Samuel and Hoffman; Village Feast, W. Kidd; A Wood-Cutter and his Daughter, Drummond; Sir Gregor MacGregor and other large portraits, by Steele; and several other large portraits, by Steele; and several brilliant and sweet productions, by A. Robinson, Chalen, W. H. Watts, Newton, &c. There were Enamels by Bone in his best manner, and a large and fine copy by Muss, &c. In Sculpture, the most remarkable productions were, A Peasant Girl, by Westmacott; Statue of Dr Anderson for Madras, by Chantrey, and some fine busts, &c.

The British Institution in Pall-Mall, for the exhibition and sale of the works of British Artists, was opened early in the year. Wilkie has an admirable little picture, which he calls *China Menders*; and Collins, in addition to his *Departure of the Diligence from Rouen*, has a pleasing

composition taken from the "*Coast of Norfolk*." "*Shylock*," by Jackson, the Academician, is exceedingly good. The return of *Louis Dix-huit*, by Bird, is upon a larger scale than the usual pictures of this artist. It will not, however, diminish the reputation he acquired by his "*Chevy Chase*." An *Italian Female Peasant*, and *St Peter paying the Tribute with a piece of Silver found in a fish*, both painted by G. Hayter, evince great improvement in this artist, since his return from Rome. *The Fall of Babylon*, by Martin, is full of fancy and imagination. *Timon's Cave*, and some other pictures from Shakespeare, by Bonten, are very far superior to the former efforts of this artist. Davis has painted a picture founded on the discovery of *Magna Charta* and the *Meeting of the Barons*, as described in Hurst's History of England. He has happily substituted portraits of the Duke of Devonshire, Marquis of Tavistock, Lord Erskine, Lord Egremont, Lord Ossulston, Marquis of Huntly, Marquis of Stafford, the Duke of Northumberland, &c. &c. under the name of the original Barons. Stothard, Bigg, Reinagle, Westall, Cooper, Hilton, and Ward, from the Royal Academy, have each of them contributed pictures of various merit. The exhibition is, upon the whole, calculated to support the reputation of our native artists, and, in its various departments, gives undoubted testimony of gradual and progressive improvement.

PUBLIC WORKS, AND LOCAL IMPROVEMENTS.

IN the erection of Southwark Bridge, it appears as if an attempt had been made to prevent the natural effect of heat upon iron, that is, to prevent its expansion; for where the spandrels enter the masonry of the abutments and piers, they were wedged in tight with iron wedges, from the bottom to the top; the consequence was, that an expansion taking place, a very unequal strain and injurious effect was produced; for the radius of the intrado of the arch being 312 feet, and of the extrado about 6600, and both being confined between abutments, yet connected together, locking them as two separate and distinct arches, it became evident that the latter would require to rise in the centre for every degree of heat, considerably more than the former, but cannot without lifting, or parting from it by fracture. To avoid this, which it is somewhat extraordinary was not guarded against in the first instance, masons were, for some time, employed night and day, in the tedious operation of working away the stone work at the back of the wedges, in order to remove them. This operation has, however, been successfully accomplished, and the bridge was opened to the public on the 27th of March at midnight.

A new Wire Bridge has been thrown over the river Kelvin, at Garscube-house, Dumbartonshire, the seat of Sir Islay Campbell, Bart. wholly composed of iron-wire, without any support in the centre. The length is 100 feet, and it is nine feet above the surface of the river.

NATIONAL MONUMENT.—A numerous meeting of the Noblemen and Gentlemen of Scotland, desirous of promoting the object of the erection of a National Monument to commemorate the exploits of our gallant countrymen in different parts of the world, and to form a sort of Temple where the efforts of genius and patriotism might receive a suitable and enduring record, took place on Wednesday March 3d, in the Assembly Rooms, George Street; his Grace the Duke of Athole in the chair. The following resolutions, moved by the Right Honourable the Earl of Moray, and seconded by Lord Belhaven, were unanimously adopted, and followed up by numerous subscriptions, and by such measures as cannot fail to give a sufficient and successful impulse to this great national object:—

“Resolved, That the unparalleled victories with which the Great Disposer of Events was pleased to bless the British arms by sea and land, in the late glorious and eventful war, in which the valour of Scotsmen was so conspicuously displayed in every quarter of the globe, justly deserve to be commemorated in the Metropolis of Scotland, by some appropriate Memorial of national gratitude: That a monumental edifice, comprehending a Church, destined for the purpose of divine worship, and ornamented in such a manner as may perpetuate the memory of the great naval and military achievements of the late war, will afford a lasting proof, not only of gratitude to the Almighty for his protection,

but of the affectionate remembrance of Scotland, of those gallant officers and men, who fought and bled in the service of their country: That the glorious and important services of our army in Asia, in the war recently and successfully terminated, in which Scottish valour was so eminently manifested, shall be commemorated in the proposed National Monument: That for the purpose of accomplishing this desirable object, a general subscription shall immediately be opened, and the most effectual measures adopted, to raise a fund, not only for completing an edifice worthy of Scotland, but for the endowment of two clergymen to officiate as Ministers of the intended church: That subscriptions of any amount, not being less than L.1, 1s. be received, and that all subscribers shall, for every L.25 contributed, have right to a share and accommodation in the intended church, in a manner hereafter to be more particularly defined, and that a considerable portion of the church shall be set apart for free admissions on all occasions: That due provision shall be made, that no subscriber shall be responsible, or called upon, for more than his individual subscription on any account whatever: and, That a committee be appointed to forward subscriptions, and to consider of the most proper means for carrying into effect the object of this meeting, and to report the same to a General Meeting to be called at such future period as may appear to the Committee to be most proper."

The first stone of that stupendous structure, Menai Bridge, was laid without ceremony on the 10th of August, by the resident engineer, Mr Provis, and the contractors for the masonry, Messrs Straphen and Hall. When completed, it will connect the island of Anglesea with the

county of Caernarvon, and by that means do away with the present Ferry, which has always been one of the greatest obstacles in the establishment of a perfect communication between England and Ireland, through North Wales. The design is by Mr Telford, and is on the suspension principle. The centre opening is to be 560 feet between the points of suspension, and 500 feet at the level of high-water line. The roadway is to be 100 feet above the highest spring tide, and is to be divided into two carriage-ways of 12 feet each, and a foot way of four feet between them. In addition to the above, there are to be three stone arches of fifty feet each on the Caernarvon shore, and four of the same dimensions on the Anglesea side. It is estimated to cost about L.70,000, and will probably be completed in three years.

The Magistrates of Glasgow, in conjunction with, the county gentlemen of Lanark, have resolved to erect a new Bridewell for the city and county. The existing Bridewell was erected so late as the year 1799; but so rapid has been the extension of delinquency and crime, that this establishment, though large enough then, has now become altogether inadequate to the purposes of such an institution. The average number of prisoners last year was 210. The expense of the new Bridewell, which is estimated at L.30,000, is to be raised on the simple principle of assessing the city and county in proportion to their population. A census is to be taken to fix the contribution of each division.

Numerous and valuable donations were lately received by Professor Jameson for the College Museum, the most remarkable of which are Animals of Iceland, presented by Sir G. S. Mackenzie; Animals collected

in Baffin's Bay, by Captain Ross: Corals and minerals collected in the Bahamas, by Admiral Sir David Milne, the corals being of unrivalled magnitude and beauty, and many of the minerals rare, one of which, a colossal stalactites, is calculated to weigh five tons; a collection of ores and minerals from the island of Elba, presented by Principal Baird from a gentleman of that island; and the skeleton of the great whale at Airthrie, presented by Sir Robert Abercromby. The fine collection of natural history purchased for the University from M. Dufresne of Paris, also arrived safely on board the cutter sent by Government for conveying it hither, and under the superintendence of Captain Thomas Brown of Edinburgh. This is a particularly rich and valuable collection, and will form an invaluable accession to the previous treasures of the Museum.

This year a project was formed for erecting buildings on the Earthen Mound, Edinburgh, and some time afterwards several plans were given in, incomparably the best of which was that by Mr Playfair, the ingenious architect who designed that classical edifice, the Observatory on the Calton Hill. According to this plan, the mound was to be reduced towards its southern extremity; and the buildings, which were to be only of one story, with an arcade in the centre, were to be erected on the horizontal level. Hence Mr Playfair's plan is calculated to obviate the insuperable objection to erections, of two stories in height, which were at first contemplated, and which would have totally intercepted the view of Salisbury Craggs and Arthur Seat from that part of the line of Prince's Street to the west of the Mound, as well as the view of the Castle and the hills in the distance from the passengers on the bridge

and the eastern division of Prince's Street. The Mound, in its present condition, is certainly a huge deformity; and there can be little doubt, we think, that were this plan adopted and carried into effect, a great eye-sore would be removed, an unoccupied mass of earth and rubbish covered with ornamental buildings, and none of those striking and picturesque views, which render Edinburgh the envy of all other cities, in any the least degree impaired or obstructed. At the same time we cannot help remarking, that irreparable injury would be done to the metropolis of Scotland were any absurd and injudicious erection to be perched upon it, as there is scarcely a point of view, in which its deformity would not obtrude itself on every eye.

Mr Owen stated, at a meeting in London, when a Committee was appointed to investigate his plan, and report upon its practicability, that 200,000 pair of hands, with machinery, spun as much cotton now as forty years ago, without machinery, would have employed 20,000,000, that is, 100 to 1; that the cotton spun in a year, at this time, in this country, would require, without machinery, at least 60,000,000 of labourers with single wheels; and that the quantity of manufacturing works of all sorts, done by the aid of machinery in this nation, was such as would require, without that aid, the labour of at least 400,000,000 of manufacturers.

The improvement of the Glasgow and Carlisle road, which runs almost diagonally through Dumfriesshire, will not only enhance the value of property of every description along the line, but will shorten the distance from the greater part of Dumfriesshire to Carlisle and the north of England about $4\frac{1}{2}$ miles. The operations on the newly laid out line between Graitney and Carlisle are

going on with spirit. The new bridge over the Esk, which has been contemplated for seventy years past, was founded about the end of May, and will be finished in June 1820 : it is to have two cast-iron arches, one of 150 and the other of 100 feet span. Another bridge will be built over the Sark, at Allison's Bank, which will have two stone arches of forty and the other of thirty feet span. Several other improvements are making on the roads in that part of the country.

By the Sixteenth Report of the Commissioners, made to Parliament, it appears that the expenditure upon the Caledonian Canal, to the commencement of May 1819, amounted to L. 742,000 ; that a moiety of the Parliamentary grant of last year (L. 25,000) had not, at the date of the report, been issued from the Exchequer, and that a farther grant of L. 50,000 was voted during this session of Parliament.

This great work will probably be completed in the course of the two next years. The navigation from Inverness to Fort Augustus is already open, and there is a near prospect, at the other end of the canal, of a similar approach towards the completion of the navigation from sea to sea. The navigation of Loch Ness was opened to the public in May 1818, and about 150 voyages were made last season by coasting vessels carrying from forty to seventy tons each ; and the facility is such, that vessels sometimes accomplish the voyage of twenty-three miles to Fort Augustus, discharge their cargo, and return to the lower end of the lake within twenty-four hours. The exports consist of timber, staves and wool ; the imports of tar, oatmeal, and coals, of which last article the price is lowered one half. Lime is also a frequent article of freight, and thus the improvement of the adjacent lands is ensured.

CHRONICLE

OF

MISCELLANEOUS OCCURRENCES.

JANUARY.

2. *Paris.*—The *Moniteur* of the 30th ult. contains a royal decree, announcing the organisation of a new ministry. According to the new arrangements, the Marquis Dessolles, Peer of France, and Minister of State, is nominated Minister Secretary of State for the department of foreign affairs, and president of the Council of Ministers. M. Dessolles was, in 1814, commander of the National Guard of Paris; when he conducted himself so as to acquire the perfect confidence of the King, and was raised to the peerage in June of the same year: he is a Lieutenant-General of the armies of France, a Knight of St Louis, and Grand Cross of the Legion of Honour, and was, previous to his present exaltation, a member of the Privy Council and a Minister of State. The Sieur de Serre, member of the Chamber of Deputies, is appointed Keeper of the Seals, Minister Secretary of State for the department of justice. M. de Serre was President of the Chamber of Deputies during the last Session, and was within four votes of obtaining the same dignity this year: he is a Knight of St Louis, and of the Le-

gion of Honour, and was, before his new appointment, one of the Council of State, and a member of the committee of legislation. The Count de Cazes, Peer of France, is appointed Minister Secretary of State for the Department of the Interior. Baron Portal, member of the Chamber of Deputies, is appointed Minister Secretary of State for the Department of the Marine. M. Portal is an officer of the Legion of Honour, and a member of the Chamber of Deputies; he has also been one of the Council of State since May 1814, and has been, for two years past, intrusted with the direction of the colonial branch in the department of the Minister of Marine, over the whole of which he is now appointed to preside. Baron Louis, member of the Chamber of Deputies, is appointed Minister Secretary of State of the Finance Department. M. Louis was Minister of Finance in 1814, being one of the administration of which M. Talleyrand was at the head: he is a Grand Cross of the Legion of Honour, and a member of the Chamber of Deputies; he was also a member of the Privy Council and a Minister of State. The Ministry of Police is suppressed. The

members of this new ministry are considered as real constitutionalists, alike averse to the violent measures of the ultras of both parties, and attached only to the King and the Charter. They have accordingly entered upon office under the most favourable auspices.

The Paris journals of the same date contain the following statement of the present strength of the Russian army. It is said to consist of 880,000 men, divided into different corps, 360,000 of which are infantry, 68,000 regular cavalry, 86,000 Cossacks, 49,600 artillery, 75,000 marines, 100,000 belonging to the first line of the reserve, and 50,000 to the second, and 75,000 veterans.

3.—The following singular correspondence between Cobbett and Sir F. Burdett appeared in a Sunday paper, and discloses Cobbett's new way of paying old debts. The answer of the Baronet is full of just severity, and expresses, in strong and pointed language, his indignant contempt for the flagitious jesuitism of the most impudent and unprincipled turncoat of modern times.

TO SIR FRANCIS BURDETT, Bart.
North Hampstead, Long Island,
June 20. 1817.

Sir,—I inclose you the copy of a letter to Mr Tipper, which I beg you to have the goodness to read, and to consider the contents of it (as far as they relate to the liquidation of my debts generally) as addressed to yourself. In addition you will be pleased to understand, that, as to the debt due to you, no pains shall be spared by me to obtain the means of paying it as soon as possible; and I beg that you will furnish Mr White, my attorney, with your charge against me, including interest, that he may transmit it to me.

I now transmit to Mr White

Wright's note of hand. It must be indorsed by you before I can proceed against Wright. This rascal always contended that he borrowed the money on his own account. Your word was quite sufficient to prove the contrary; and though no part of it was ever made use of for me, and though the arbitrator determined against my being at all responsible, I thought myself and still think myself bound to pay you, you putting me in a condition to recover the money from him, which you can at once do by indorsing the note of hand. I am well aware the grounds of complaint and reproach to which debtors always expose themselves, and I am not vain enough to expect to escape consequences to which all others are liable; but if I finally pay to the last farthing, those grounds will be all swept away; and as I am in no doubt of being able, in a short space of time, to pay every one fully, I anticipate with great satisfaction the day of my deliverance from this sort of thralldom.—I am, Sir, your most obedient and most humble servant, .

WM. COBBETT.

TO MR TIPPER.
North Hampstead, Long Island,
Nov. 20. 1817.

Mr Dear Sir,—First let me acknowledge my deep sense of the kind manner in which you have uniformly spoken to Mrs Cobbett with regard to me; and then, without further waste of that time of which I have so little to spare, let me come to business, and let me lay down, before I proceed to our own particular affair, some principles which I hold to be just to my conduct towards my creditors in general.

If there be any man who can pretend, for one moment, that mine is an ordinary case, and that not having enough to pay every body, I ought

to be regarded as an *insolvent debtor*, in the usual acceptation of the words; and if he does this after being apprised that the whole force of an infamous tyranny was embodied into the shape of despotic ordinances, intended for the sole purpose of taking from me the real, and certain, and increasing means of paying off every debt and mortgage in two years;—if there be any man whose prosperity and whose means of profitably employing his own industry have remained wholly untouched and unaffected by these despotic and sudden acts of the Government, and who is yet so insensible to all feelings of humanity as well as so willingly blind to every principle of either moral or political justice;—if there be any man who, wholly absorbed in his attachment to his own immediate interest, is ready to cast blame on a debtor, who has had his means of paying cut off by an operation as decisive as that of an earthquake, which should sink into eternal nothing his lands, his houses, and his goods;—if there be any man, who, if he had been a creditor of Job, would have insisted that that celebrated object of malignant devils' wrath, which had swept away his flocks, his herds, his sons, and his daughters, was an insolvent debtor and a bankrupt, and ought to have been considered as such, spoken of as such, and as such proceeded against: if there be any such man as this, to whom I owe any thing, to such man I first say, that I despise him from the bottom of my soul; and then I say, that if he dare meet me before the world in open and written charge, I pledge myself to cover him with as much shame and infamy as that world can be brought to deign to bestow upon so contemptible a being. For such occasions as the one here sup-

posed, if such occasion should ever occur, I reserve the arguments and conclusion which the subject would naturally suggest. To you I trust no such arguments are necessary, and therefore I will now proceed to state explicitly my intentions with regard to what I shall endeavour to do in the way of paying off debts. I hold it to be perfectly just that I should never, in any way whatever, give up one single farthing of my future earnings to the payment of any debt in England.

When the society is too weak or unwilling to defend the property, whether mental or of a more ordinary and vulgar species, and where there is not the will or the power in the society to yield him protection, he becomes clearly absolved of all his engagements of every sort, to that society; because in every bargain of every kind it is understood that both the parties are to continue to enjoy the protection of the laws of property.

But from the great desire which I have, not only to return to my native country, but also to prevent the infamous acts levelled against me from injuring those persons with whom I have pecuniary engagements, and some of whom have become my creditors from feelings of friendship and a desire to serve me, I eagerly wave all claim to this principle, and I shall neglect no means within my power fully to pay and satisfy every demand, as far as that can be done consistently with that duty which calls on me to take care that my family have the means of fairly exerting their industry, and of leading that sort of life to which they have a just claim.

It is clear, however, that to do *any thing* in the way of paying off must be a work of some little time. I place great dependance on the pro-

duce of some literary labours of great and general utility; and it is of these that I am now about more particularly to speak, and to make you, Sir, a distinct proposition.

First, I must beg you to read in a *Register*, which I now send home, a letter to a French scoundrel, whom the boroughmongers of England, by a robbery of us for the restoration of the Bourbons, have replaced in his title of *Count*.

When you have read that letter, you will see a part of my designs, as to my present endeavours to pay my debts. "*The Maitre Anglois*" has long been the *sole* work of this kind in *vogue* on the continent of Europe, in England, and in America. It was the only book of the sort, admitted into the Prytanean Schools of Buonaparte, where it was adopted by a direct ordinance.

You will see that it is sent from France to England, and in this country it is imported from France. Both editions (separate and coeval) are sold at New York, and in all the towns here. I have always been afraid to look into this book, from a consciousness of its imperfections, owing to the circumstance of haste under which it was originally written.

You know as well as any man what the probable extent of sale and durable profit of the exclusive right to print such a book are. I am now engaged in making this book *quite complete*, under the title of "*The English Master*, by William Cobbett, corrected, improved, and greatly enlarged, by the author himself." If you understand French enough to read it with a perfect understanding of its meaning, you will, if you read this book, easily see the causes of its great celebrity.

Its clearness, its simplicity, its wonderful aptitude to its purposes,

its engaging and convincing properties, make it so unlike all the offspring of pedantry, that it is no wonder that it should have made its way in general esteem. I will make the new edition *supplant all the old ones immediately*; and to you I propose to confide the care of securing the copyright both in England and France. A second work, and one of still more importance as a source of profit, is also now under hand, namely, "*The French Master*; or a Grammar to teach French to English persons, by William Cobbett." You will easily see, that if I could, 22 years ago, actually *write a book* in the French language to French persons, how able I must be to write a book in the English language to teach French. Indeed, my knowledge of the whole matter is so complete, that the thing, complicated and abstract as it is in its nature, is as easy to me as it is for me to walk or sit. This work, I will pledge my existence, will sweep away very speedily all competitors. My children (some of them) are now learning French by the principles and rules which will constitute this book, and this gives me every opportunity of perceiving and removing all sorts of impediments and embarrassments.

My son William wrote French at twelve years old better than nine-tenths of the Frenchmen that I have ever known, or at least that I have ever seen write; and both John and he speak now French as well as the greater part of Frenchmen.

I shall publish both these works, and secure the copyright of them, in America, where there is a great sale for books of this description; but from the great intercourse now existing between England and France, the sale will be much more considerable in those countries.

In about two months, or less, I

shall send to Mr White, to be delivered to you (if you will undertake the thing), the matter for these two works. You can secure the copyrights in *England*, and also in *France*. It is impossible for me to say what will be their produce; and I know well that immediate produce is not to be expected; yet it would be irrational not to believe, that these works must in a short time begin to be a source of real and substantial profit, the proceeds of which I should devote to the liquidation of the debts due to you; and, if they exceeded that, to other purposes. In the meanwhile there would be the foundation of profit, from the same source, laid in this country, from which, however, I should for some time not expect any thing beyond what I should need here. I do not know that there would be any objection to the selling of this copy-right in *France*; but I should not approve of this being done in *England*, because time may make them a source of great profit, and further, because I should not like for me or my sons to be precluded from future improvements of the works themselves. As to the particular application of the money that may arise from this fair and honourable source, after an equitable discharge of your demands on me; and as to the precise mode of proceeding in the business, these must be the subject of a letter to accompany the manuscripts, which you will understand are now in a state of great forwardness; so that, as time is valuable, I hope that you, who understand such matters so well, and who have so much activity and intelligence, will, upon the receipt of this letter, and upon the strength of what you will see addressed to the beggarly tool of a French blackguard rascally Noble *jean-foutre*, make some inquiry amongst the race who

trade in the fruit of men's minds. You know them pretty well, and I have perfect reliance on your prudence, integrity, and industry.

I am, you will perceive, getting ready a *Grammar of the English Language*. This, which is a work which I have always desired to perform, I have put into the shape of a series of letters, addressed to my beloved son James, as a mark of my approbation of his affectionate and dutiful conduct towards his mother during her absence from me.

In this work, which I have all my life, since I was nineteen years old, had in my contemplation, I have assembled together the fruits of all my observations on the construction of the English language; and I have given them the form of a book, not merely with a view to profit, but with a view to fair fame, and with the still more agreeable view of instructing, in this foundation of all literary knowledge, the great body of my ill-treated and unjustly contemned countrymen.

I believe it to be quite impossible that this work should not have a very extensive circulation in *England* and *America*, and that it should not be of many years' duration in point of profit. Whatever part of this profit can, without endangering the well-being of my beloved and exemplary, affectionate and virtuous family, be allotted to the discharge of my debts or incumbrances, shall, with scrupulous fidelity, be so allotted; but as to this particular object, and as to other sources of gain, I will first take care that the acts of tyrannical confiscation, which have been put in force against me, shall not deprive this family of the means not only of comfortable existence, but that it shall not deprive this family of the means of seeking fair and honourable distinction in the

world. It is impossible for me to say or to guess at what I may, with my constant bodily health, and with the aptitude and industry which are now become a part of me, be able to do in the way of literary works productive of gain: but I can with certainty declare, that beyond the purposes of safety to my family I will retain or expend nothing until no man shall say of me that I owe him a farthing. With regard to any profits that may arise from the Register in England, I at present know scarcely any thing; and I have not any time to digest any regular plan relative to that matter: I shall do this in the course of a short time.

As I have fully apprised Mr White of the contents of this letter, I beg you to communicate with him on the subject, and to tell him very freely your opinion relative to the whole of its contents. I have, all circumstances considered, a very strong desire to retain my real property in that country, which I so ardently love, and to which I have preserved, through all circumstances, so inviolable a fidelity; and though I would abandon that object rather than do any act of real injustice, I will never, while the present infamous abrogation of the laws of my forefathers exists, set my hand to any deed, or give, either expressly or tacitly, my sanction to so infamous a violation of my rights, as well as of the rights of all.

We shall hardly be able to get the manuscript off before the month of January next, but in the mean while I shall be glad to hear from you, and to receive from you any suggestions that you may think useful.

I have the pleasure to tell you that we all enjoy excellent health; and I assure you that it will give us all great pleasure to have the same

sort of account from yourself, Mrs T., and family.

I am, my dear Sir, your most obedient and most humble servant,

WILLIAM COBBETT.

The reply of Sir Francis Burdett:—

TO MR WILLIAM COBBETT.

St James's Place, Jan. 31. 1818.

SIR,—I have just received yours of the 20th November, and carefully, and according to your desire, perused the inclosed to Mr Tipper.

It is not my intention to enter into any controversy respecting the honesty or dishonesty of paying or not paying debts according to the convenience of the party owing. It seems that if it should ever suit your convenience, and take nothing from the comforts and enjoyments of yourself and family, such comforts and enjoyments, and means too of distinguishing themselves, as you think they are entitled to, all this being previously secured, then you think yourself bound to pay your debts; if, on the contrary, that cannot be effected without sacrifices on your and their part, in that case your creditors have no claim to prefer and you no duty to perform. You then stand absolved, *rectus in foro conscientiae*, and for this singular reason, because those who lent you their money when you were in difficulty and distress, in order to save you and your family from ruin, were and are unable to protect you either against your own fears, or the power of an arbitrary Government, under which they have the misfortune to live, and to which they are equally exposed. These principles, which are laughable in theory, are detestable in practice. That you should not only entertain and act upon, but openly avow them, and blind your

own understanding, or think to blind that of others, by such flimsy pretences, is one more melancholy proof of the facility with which self-interest can assume the mask of hypocrisy, and by means of the weakest sophistry, overpower the strongest understanding. How true is our common law maxim, that no man is an upright judge in his own cause; how truly and prettily said by the French, "*La Nature se pipe*;" nor less truly, though more grossly in English, "*Nature's her own bawd*."

In expressing my abhorrence of the principles you lay down for your conduct, and concerning which you challenge my opinion a little unfairly, considering the ridicule with which you at the same time threaten to overwhelm the unfortunate wight who presumes to differ from them, I do not desire that you should act upon any other with regard to me; I should be sorry your family were put to any inconvenience on my account; should your circumstances ever prove so prosperous as to enable you to discharge your debts without infringing upon those new principles of moral obligation you have adopted, and which for the first time since the commencement of the world, have, I believe, been, though frequently acted on, openly promulgated. As to complaint or reproach, they are the offspring of weakness and folly; disdain should stifle them; but nothing can or ought to stifle the expression of disgust every honest mind must feel at the want of integrity in the principles you proclaim, and of feeling and generosity in the sentiments you express.—I am, Sir, your most obedient and most humble servant,

F. BURDETT.

6.—The late miser, Mr Courtois, whose death, at an advanced age, has just happened, was for many years a hair-dresser in the metropolis. By dint of extraordinary exertions in

various ways, and through a most rigid system of economy in his expenditure, this man (who seemed to have no small portion of the Characteris and the Elves blended in his composition) died immensely rich, having amassed, according to confident reports, nearly L. 200,000! Old Courtois was long well known in the purlieus of St Martin's and the Haymarket. His appearance was meagre and squalid, and his clothes, such as they were, were pertinaciously got up in exactly the same cut and fashion, the colour being always either fawn or morone. For the last thirty years, the venerable chapeau was uniformly of the same cock. The principal fact, however, in which this fervent votary of Plutus appeared before the public, was his curious and nearly fatal affair with the unfortunate Mrs Maria Theresa Phepoe. About twenty years ago, this ill-fated woman projected a rather bungling scheme, in order to frighten her old acquaintance and visitor, Courtois, out of a considerable sum of money. One evening, when she was certain of his calling, she had her apartment prepared for his reception in a species of funereal style—a bier, a black velvet pall, black wax candles lighted, &c. No sooner had the old friend entered the room, than the lady, assisted by her maid, pounced on him, forced him into an arm chair, in which he was forcibly held down by the woman, while the lady, brandishing a case knife or razor, swore, with some violent imprecations, that instant death should be his lot, if he did not give her an order on his banker for a large sum of money. The venerable visitor, alarmed at the gloomy preparations and dire threats of the desperate female, asked for pen, ink, and paper, which being immediately produced, he wrote a check on his banker for (we believe) two thousand pounds. He immediately

retired with precipitation, happy to escape without personal injury. The next morning, before its opening, he attended at the bank with some police myrmidons, and, on Mrs Phepoe's making her appearance with the check, she was arrested, and subsequently tried at the Old Bailey, on a capital charge grounded on the above proceedings. However, through the able defence made by her counsel (now Mr Justice Fielding,) who took a legal objection to the case as proved, and contended that she never had or obtained any property of Mr Courtois, on the principle that possession constituted the first badge of ownership, she was eventually acquitted. Truth, however, obliges us to add, that Mrs Phepoe, who was once connected with a respectable family in the sister island, was in about four years after capitally convicted on a charge of cutting and maiming a poor woman, for which she suffered the last penalty of the law. Some years since, the late Lord Gage met Courtois, at the court-room of the East India house, on an election business. "Ah, Courtois," said his Lordship, "what brings you here?" "To give my votes, my Lord," was the answer. "What! are you a proprietor?" "Most certainly." "And more votes than one?" "Yes, my Lord, I have four." "Aye, indeed! Why, then, before you take the book, pray be kind enough to pin up my curls!" with which modest request the proprietor of four votes, equal to £10,000, immediately complied.

7.—The King's jewels were this day discovered in the following remarkable manner:—Mr Rundle and Mr Bridge, of the firm of Rundle, Bridge, and Rundle, had been engaged, for several days before this circumstance occurred, in estimat-

ing the value of her late Majesty's jewels, previous to their "being sold, and their produce divided among her Majesty's four daughters." On the Wednesday preceding, Messrs Rundle and Bridge finished the valuation, which was immediately notified to his Royal Highness the Prince Regent. As soon as he heard it, he attended at Buckingham-house, to see them divided among his Royal sisters. The Princess Augusta was present at the meeting for this purpose. On the jewels being apportioned into four several heaps of equal value, a question arose about the manner in which they were to be deposited, until it should be necessary to re-produce them. One of the female attendants suggested, that in a lumber room, not very far distant from her late Majesty's apartments, a number of empty boxes were stowed, which had been used on former occasions as cases, in which the royal jewels had been carried to and from the Bank of England, (where they are usually deposited,) to Buckingham-house; and "perhaps," said she, "these may serve the purpose for which they are wanted, without troubling Messrs Rundle and Bridge to send for fresh packages from their house in town." The suggestion was thought good; and the boxes were accordingly ordered to be produced before the royal company. In examining one of them, which on first sight appeared to be filled with nothing more than the lawn or silver paper, in which jewellery is in general enveloped, the King's sword, star, loop, garter, and other jewels, were unexpectedly discovered. The discovery took place in the presence of the Regent himself, who expressed uncommon delight at the occurrence.

8.—The will of her late Majesty

was this day proved in Doctors' Commons, by Lord Arden and General Taylor, the executors. The personal property is sworn to as being under L.140,000. The will is in substance as follows:—Her Majesty directs her debts, and the legacies and annuities given by her will, to be paid out of the personality, or out of the sale of personals, if there is not sufficient in her Majesty's treasury to provide for those payments. Her Majesty states her property to consist of a real estate in New Windsor, called the Lower Lodge, and of personals of various descriptions, which are classed as follows:—1. Those which the King purchased for L.50,000 and presented to her, (supposed on her marriage.) 2. Those presented to her by the Nabob of Arcot. 3. Those purchased by herself, or being presents made on birth-days or other occasions. In the event of the King surviving, and being restored from his malady, Her Majesty bequeaths to him the jewels which he purchased and gave her. Her Majesty gives the jewels presented by the Nabob of Arcot to her four remaining daughters, directing those jewels to be sold, and the produce divided amongst the four daughters, subject to the charge of debts, &c. The remaining jewels she gives equally amongst the four daughters just mentioned, to be divided according to a valuation to be made of them. The house and ground at Frogmore, and the Shawe establishment, her Majesty gives to the Princess Augusta Sophia. Her books, plate, house-linen, china, pictures, drawings, prints, all articles of ornamental furniture, and all other valuables and personals, she directs to be divided in equal shares, according to a valuation to be made, amongst her four younger daughters. Her Ma-

jesty appoints Lord Arden and General Taylor trustees for the property bequeathed to her daughters Elizabeth and Mary; stating that property to be left to them for their sole benefit, and independent of any husbands they have or may have, and she also appoints Lord Arden and General Taylor her executors. The will is dated November 16, 1818, (the day before her Majesty's death.) It is in the hand-writing of General Taylor; and two of the attesting witnesses are Sir Francis Millman and Sir Henry Halford.

By an act passed in the 18th of George II., a sum of L.20,000 was provided for the owners of any ship that should first find out and sail through a north-west passage from Hudson's Straits to the western and southern oceans of America; and in the 26th of the King, the reward was extended to the discovery of a *north-east passage*, by sea, between the Atlantic and Pacific Oceans, and for the first approach by sea within one degree of the Pole. These acts are now repealed; and by a new act of last session, the reward of L.20,000 is to be given for discovering a passage by sea between the Atlantic and Pacific Oceans; and to those who shall first approach *within one* degree of the Pole, a reward of L.5,000. And to encourage attempts which may not be accomplished, a proportionate reward may be adjudged by the Commissioners for the discovery of the longitude, who are to be guided in their judgment by the inspection of the ship's papers; and the Privy-Council are to direct the proportions of the reward. The regulation of the Commissioners' meetings are also under the direction of the Council. Lord Colchester, D. Gilbert, Esq., Colonel Mudge, Dr Wollaston, Dr Young, and Captain Ka-

ter were appointed Commissioners, until January 1. 1820.

At a Court of Contributors to the Royal Infirmary, held a few days prior to this date, some discussion took place of which it may be proper to give a brief outline. A long report from a committee was read, in which ample justice was done to the exertions of the Managers for the last year; and it cannot be doubted that, considering the important avocations and serious duties which many of them had to attend to, their indefatigable attention to the interests of this great charity merited particular praise. A motion was also made for the appointment of Visitors to assist the Managers in keeping up a continual surveillance over the Hospital; but it was withdrawn, on the understanding that the subject would be taken into consideration by the Managers, and brought again before the Court, should they deem it necessary. Some questions were also put respecting a sum of above L.11,000, which was recently in the hands of the Magistrates of Edinburgh, at the rate of $4\frac{1}{2}$ per cent; respecting the quality of the broth served out to the patients, and the circumstance of two wards being kept empty, as was supposed, while several fever patients had been rejected for want of room. It was explained, that the two wards in question were used for airing bedding, and for other purposes of cleanliness necessary to the Hospital; and as to the other questions, it was agreed, that they should be reduced to writing, and answered at the next meeting of the Court.

About the beginning of January, Catherine Paulowna, sister of the Emperor Alexander, widow by her first marriage of Prince Peter Frederick George of Holstein-Oldenburg, and married, on the 21th of

January 1816, to the King of Wurtemberg, then Prince Royal, by whom she had two princesses, was attacked with a rheumatic fever, in the course of which, an erysipelas having seized on the brain, occasioned an attack of epilepsy, which terminated her existence on the 5th of January, at the age of little more than thirty.

9.—The proceedings of the Court-Martial which condemned Messrs Arbuthnot and Ambrister have been laid before Congress, and published in most of the London daily papers. The charges against Mr Arbuthnot were three in number:—1st, Exciting the Creek Indians to war against the United States, he being a subject of Great Britain, with which the said States were at peace. 2d, Acting as a spy, and aiding the *enemy*—supplying them with the means of war. 3d, Exciting the Indians to murder W. Hambley and E. Doyle, subjects of the *Spanish* Government. The Court-Martial found it had no right to try Mr A. on the third charge, and no evidence was produced of his being a *spy*. The first, and the latter part of the second charge were alone established, and on them Mr A. was found guilty. The evidence in support of the first allegation consists, for the most part, of Mr A's. own letters addressed to Governor Cameron of the Bahamas; Mr Bagot, our Ambassador at Washington; Colonel Nicholl, a British officer; his son, and certain American agents. It is clear, however, that these charges ought not to have involved the slightest punishment. Arbuthnot, or any other individual, had an unquestionable right to supply the Indians with arms and ammunition. The Creeks and Seminoles were communities absolutely independent of the United States; consequently owed them no allegiance;

are nowhere denominated insurgents, or their war talked of as rebellion: and hence their white ministers or associates were not the movers or abettors of treason against the United States, for they owed the Republic of North America no allegiance, and were merely engaged in traffic with free and independent communities. But General Jackson thought differently; for, in his official order, he says, that "it is an established principle of the law of nations, that *any individual of a nation, making war against the citizens of any other nation, they being at peace, forfeits his allegiance, and becomes an outlaw and a pirate.*" So far is this; however, from being a part of international law, that had Mr. Arbuthnot been taken on the field of battle, he must have been considered a prisoner of war; for "Volunteers," says Vattel, "when taken by the enemy, are treated as if they belonged to the army in which they fight." But, further, General Jackson's exposition of the law of nations is not only utterly fallacious, but comes with the worst possible grace from the Americans. We say it is utterly fallacious; for, suppose Prince Eugene of Savoy a prisoner to Louis XIV. while the Court of Turin was at peace with France, would it ever have been dreamed of to put him to death as "an outlaw and a pirate?" General Benigsen, a native of Hannover, fought the battles of Eylau and Friedland against Bonaparte, then in free possession of his native electorate; but it never occurred even to the person who had caused D'Enghien to be shot for a pretended violation of the law of nations, to denounce Benigsen as a traitor. But this new doctrine comes with the worst possible grace from the Americans: From the very commencement of the American Revolution,

and long before the Court of Versailles had espoused their cause, La Fayette, and many other Frenchmen, had joined their standard. But the monstrous idea that these Frenchmen might be treated like "outlaws" and "pirates" never suggested itself to any individual. It must therefore follow, that Mr. Arbuthnot was illegally tried, unjustly sentenced, and barbarously executed. — The case of Ambrister is still of a darker and more malignant complexion. He was accused, "1st, Of aiding the enemy; and 2d, Of leading and commanding them." The court-martial found the charges proved, and sentenced Ambrister to be publicly whipped and confined with a chain for twelve months. General Jackson *disapproved* of this sentence, and, on his own responsibility, ordered the miserable man to be shot. That this was a foul and atrocious murder is unquestionable; but, although the transaction excited very general indignation throughout the Union, nothing has been done by the American Government to wipe off this deep stain on its honour, or to atone for such a shameful violation of every principle that is most generally acknowledged in the law of nations.

The will of the late Lord Ellenborough was this day proved in Doctors' Commons. The personal property was sworn under £200,000; and it is in substance as follows: He gives to Lady Ellenborough £1260 *per annum* for her life, which, with the further sum of £740 *per annum* secured to her by marriage settlement, will make an annuity of £2000 to her for life. He also gives her all the household furniture and pictures in his house in St. James's Square. To his eldest son, Edward, (now Lord Ellenborough,) he gives all seals upon which his

arms, &c. are engraved, and also his coat of arms, emblazoned by Sir Isaac Heard; also the remaining half of the plate, all the horses, cattle, live and dead stock, &c. He gives to Lady Ellenborough L.200 for a present supply of cash at his death. He gives to his natural daughter, Miss Elizabeth Thornton, L.2000, with interest from his death to the time of payment. He devises the Manor of Thorby-hall, and all his other hereditaments, to his son Edward, for life, with remainder to his heirs-male; and on failure of issue, to his second son and his issue; and so on in succession to all his other sons and their issue, with remainder, on failure of issue of all of them, to his own right heirs. He directs the house in St James's Square, with such furniture as is fitted to it, to be sold, and gives the proceeds, with all his remaining personal estate, to be equally divided amongst his nine younger children, and such others as might be afterwards born in his life time, or with which Lady Ellenborough might be pregnant at his death, on their attaining 21 years of age, or being married, with benefit of survivorship as usual. He directs that Lady Ellenborough shall be paid a suitable sum for the maintenance of such of the younger children as shall remain with her, out of their respective fortunes, at the discretion of his executors, Hugh Leycester, Esq., and his brother Ewan Law, Esq., with the advice of Lord Sidmouth, Chief-Justice Gibbs, and Mr Sergeant Lens; whose decision he directs to be taken upon all differences that may arise under his will. The will is dated on the 20th of March 1817, and was re-published on the 8th of June following, in order to pass lands subsequently purchased at Shipley, in Northumberland; and again on the 21st of Au-

gust following, to pass lands at Oakley-green, Bucks, since acquired by conveyance from Lady Ellenborough. There is also a codicil, dated May 11. 1818, by which his Lordship directs, that in case the shares of his younger children should exceed L.10,000 each, his eldest son Edward is to participate with them in the surplus. The will and codicils are all in his Lordship's own handwriting, and they are attested by his tipstaff and two servants. The devises of the real estates are expressed with as much brevity as is strictly consistent with their being legally operative; and they conclude with a clause stating his Lordship's wish to avoid prolixity, and his desire that the several devises shall operate agreeably to his meaning, in as complete a manner as if more formally expressed.

11. ROME.—Yesterday the last honours were paid to the remains of the Queen of Spain, who died here on the 2d instant. The body was conveyed with great pomp to the Basilica of the Vatican, at the entrance of which it was met and received by Cardinal Mattei. On this occasion the same ceremonial was observed as in 1689, in the obsequies of Christina, Queen of Sweden, and in 1735, in the case of Maria-Clementina Sobieski, wife of James III. of England.

13. PROCLAIMING THE SHILOH.—A lamentable instance of the effects of infatuation and religious enthusiasm was this day exhibited at the Police Office, Guildhall. Samuel Sibley and Maria Catherine Sibley his wife, Samuel Jones and his son, a boy of ten years old, Thomas Jones, John Angel, Thomas Smith, James Dodd, and Edward Slater, a boy of twelve years of age, were brought up from the Compter, by Beaton and Gibbon, officers of

Cordwainers' Ward, who had with great difficulty, and at the hazard of their own lives, rescued the prisoners from the fury of an immense mob, in Budge-row, Cannon-street, about ten o'clock yesterday morning. These deluded people were, it appeared, disciples of the lately famous Joanna Southcott, and conceived themselves directed by God to proclaim the coming of the Shiloh on earth. For this purpose they assembled at the west end of the town, in order to enter the only gate of the great city (Temple-bar), through which they marched in procession about nine o'clock in the morning. They were each decorated with a white cockade, and wore a small star of yellow riband on their left breast. Sibley led the procession, bearing a brazen trumpet adorned with light blue ribands, and the boys carried each a flag of blue silk. In this manner they proceeded through Fleet-street, up Ludgate-hill, and along St Paul's Church-yard, to Budge-row, a great crowd following them, increasing continually as they proceeded. Having arrived, as they supposed, in the middle of the great city, they halted, and began to perform their ceremonies. Sibley sounded the trumpet, and proclaimed the second coming of the Shiloh, the Prince of Peace, on earth; and his wife cried out aloud, "Wo! wo! to the inhabitants of the earth, because of the coming of the Shiloh." This cry was repeated several times, and joined in with a loud voice by the others in company. The crowd was by this time immense, every avenue was stopped up, and the passage of carts and carriages rendered impossible. The mob began with laughing and shouting at these miserably deluded people, and at length proceeded to pelting them with mud and every sort of missile

they could procure. They, on their part, being most of them stout young men, resisted, and the fight became general and tremendous. The flags were torn down, and Sibley and his associates with great difficulty preserved, by the exertions of the officers, from falling victims to the infuriated rage of the mob. Their appearance, when put to the bar, bespoke the dangers they had gone through; the men had all been rolled in the mud, and Sibley bore evident marks of violence in his face. On being called upon by the Magistrate to give an account of their conduct, Sibley, with an air of authority, directed the others to be silent, and, addressing the Alderman, said, he regretted there was not time for him to enter into the particulars of the mission of God to him. He had been commanded by a voice, through the boy Slater, to announce that the Prince of Peace was come upon earth. He was commanded to proclaim the second coming of Shiloh, in the same manner, and with the same authority, as John the Baptist had proclaimed his first coming. This proclamation he was to make three times in the midst of the great city, by the sound of the trumpet. He and his companions were obeying the commands of God, and in so doing had conducted themselves peaceably, and interfered with no one, when they were attacked by the mob. He was proceeding to explain the nature of the visions with which the boy had been favoured, and his wife was raising her voice to bear testimony to the fact of the Shiloh being on earth, whom she said she had had in her arms four times, when the Magistrate interrupted them, and observed, that it was evident, if they were not insane, that they were acting under a strong delusion, and pointed out to them how much bet-

ter they would have been employed in pursuing their regular avocations, than in being the cause of public riot, and endangering their own persons. The men in reply said, it was right they should obey God; but they would do whatever the Magistrate directed, assuring him, at the same time, that nevertheless the Shiloh was come. The Alderman said he would not rely on their promise, but detain them all in custody till they could procure some better assurance than their own words for their peaceable demeanour in future. They were accordingly conveyed back to the Compter in two coaches, to protect them from the mob. The male prisoners are journeymen mechanics, and appeared to be simple, deluded, but peaceable men.

HORRIBLE CIRCUMSTANCE.—Some soldiers of the 34th regiment were lately brought to trial at Jersey, and two of them condemned to suffer death. Only one of them, however, named Hales, was left for execution. Accordingly, he was, in due time, brought out to the scaffold; and, after having finished his devotions, turned off. He had not hung above a minute and a half, when the executioner, taking hold of the convulsed body, suspended himself on it. By his additional weight the rope gave way, so that the criminal's feet touched the ground. The executioner then pulled him sideways, with a view to strangle him, and not being able to effect his purpose this way, got upon his shoulders. To the astonishment of all, however, the criminal rose upon his feet, with the hangman on his shoulders, and disengaged the rope from his throat with his fingers. The Sheriff ordered another rope to be prepared, but the spectators interfered, and, at length, the Sheriff agreed that, be-

fore proceeding farther, the will of the Magistracy should be known; but the Chief Magistrate not being in town, the Commander-in-chief ordered the unhappy man to be carried back to prison. The matter was then deferred, and the execution of the sentence suspended till his Majesty's pleasure should be known. Petitions were in the meantime forwarded in behalf of the sufferer, and a free pardon speedily procured. This horrid scene has, as might have been expected, excited the most powerful sensation.

14. FRANCE.—At the *Cour d'Assizes* of Tarn, a second trial has taken place relative to the assassination of Fualdès, which lately excited so lively an interest throughout France, and indeed the whole of Europe. The point at issue upon this occasion seems to have related to certain plots, machinations, and manœuvres, formed, it is said, and carried on in the very sanctuary of justice itself, "*pour perdre des innocens*," and the persons accused were Constant, Yence, and Bessières-Vaynac. The evidence adduced being of the most improbable and contradictory character, and an *alibi* having been proved, viz. that the accused were absent from Rodez on the day of the horrid murder of Fualdès, the Jury, after being inclosed for three hours, returned a verdict, acquitting the prisoners of all connection with the plots and machinations above alluded to, or being in any way accessory to the assassination of the unfortunate Fualdès, either before or after the fact.

21. PARIS.—This being the Anniversary of the Death of Louis XVI., was celebrated at St. Dennis with great pomp and solemnity. The Bishop of Albi performed service, and the Abbé of Quelen the reading of the

Testament. The King, attended by all the Princes, Functionaries, and foreign Ministers, was present during the service.

25. The High Court of Justiciary, having this day met, the Lord Advocate read the following report relative to the execution of Robert Johnston, the particulars of which are recorded in our last volume:

"In reference to the desire expressed by their Lordships, to be informed of the result of the inquiry which had been directed to be made, concerning the occurrences at the execution of Robert Johnston, on the 30th of December last, in pursuance of a sentence of this Court, a precognition, containing a full detail of the circumstances which had then occurred, and of all the precautions previously adopted by the Magistrates of Edinburgh, was taken before the Sheriff-depute of the county of Edinburgh, and laid before the Lord Advocate; from which it appeared, that while, in point of fact, the result of the investigation, as to discovering the persons principally concerned in the riot and attempt to carry off the body of the criminal, has been unsuccessful, notwithstanding every exertion on the part of the Sheriff-depute, the Lord Advocate, after giving the matter the most deliberate consideration, has been able to form an opinion that there are no grounds for any proceedings, at his instance, against the Magistrates of Edinburgh; that, in other respects, he was confident such measures would be taken as the circumstances of the case required, by those on whom that duty was incumbent; and that, in conformity with what was done in the case of James Macgregor alias Drummond, on the 22d of January 1753, (this man made his escape from Edinburgh Castle by stratagem, and was never heard of

afterwards,) a copy of the whole precognition had been lodged in the hands of the Court, for the information and satisfaction of their Lordships." At the suggestion of the Lord Justice-Clerk, the Court approved of the conduct of the Lord Advocate, and, for that reason, ordered the precognition to be returned upopened to his Lordship; as, from the explanation given, and there being no point to decide, the Court judged it unnecessary to inspect it.

The Anniversary of Burns's Birth was celebrated at Dumfries by a numerous and respectable meeting, at which Mr John Macdiarmid, Editor of the Dumfries and Galloway Courier, delivered a most appropriate and eloquent speech on the poetic character and genius of our national Bard.

The notorious Henry Hunt, who a short time ago presided at a reform meeting at Manchester, has addressed a letter to his Royal Highness the Commander-in-chief, complaining of some outrages committed on him at the Theatre of that place, by some officers of the 7th Regiment of Hussars. The whole appears to have been a mere frolic.

30. The Danish Government has succeeded in negotiating a loan with some merchants of Hamburg and Altona, to the amount of 6,000,000 marks Banco, nearly £. 500,000 Sterling, at the present rate of the exchange with this country. The house of Black, with that of Mayer, Trier, and Jenisch, a member of the Senate, have taken each one million; the remainder is subscribed for by three merchants of Hamburg, and four at Altona. The terms appear to be extremely favourable to the contractors: the loan is said to have been concluded at 62½, producing an interest of full 8 per cent. The whole of the loan is

to be redeemed in the manner adopted by the Prussian Government, in twenty-eight years, and a portion of the Royal domains has been mortgaged for the repayment.

AMERICA.—James Monroe, the President of the United States, is a native of Virginia; he was born in 1759; and in 1776, though so young, he took part with his countrymen in their resistance to the parent state. At the battle of Trenton, December 26, 1776, his shoulder-bone was broken by a musket-ball, and he was so dangerously wounded that his life was despaired of. His bravery and good conduct caused General Washington to promote him to a captaincy; he was afterwards appointed Aide-de-camp to Major-General Stirling, and subsequently Colonel of a Regiment. In 1782 he was elected to the Legislature of Virginia. In 1783 we find him a Member of the old Congress. In 1787 he was again elected to the Legislature of Virginia. In 1788 he was a Member of the Virginia Convention, which ratified the present constitution of the United States. In 1790 he was elected a Senator of the United States. He continued in the United States' Senate until 1794, when he was selected by President Washington to represent the United States as Minister to the French Republic. On his return from France he was elected Governor of his native State, and in 1799 concluded the constitutional term for holding that office. In 1802 Mr Monroe was sent, by President Jefferson, to France, to negotiate the purchase of Louisiana, which was accomplished entirely to the satisfaction of the nation. Having succeeded in his negotiations at Paris, in 1803 he was appointed Minister to London, and, in 1805, was sent on a special mission to Madrid. On his return from Europe he was again e-

lected to the Legislature of Virginia; and the same year (1810) elected the Governor of that State. In 1811 he was appointed Secretary of State; and on the capture of Washington in 1814, he was bold and patriotic enough to accept the appointment (temporarily) of Secretary of War.

From the Treasury Report it appears that the public Revenue of the United States, in the present year, amounts to 28,000,000 of dollars, leaving a surplus of 2,000,000 over the expenditure. The unredeemed debt is nearly 100,000,000. It appears, however, notwithstanding this apparent prosperous state of the revenue, that all the State Banks, from Cincinnati to Kentucky, have been obliged to suspend their payments. A general gloom overhangs the monied institutions of the country; a common medium of circulation, which was expected from the national establishment, has not been realized in practice: specie is above par; the National Bank shares are below those of the State or Provincial Banks; great disappointments have been felt by all classes of speculators; large sums of money have been lost, and much distress is experienced throughout all the commercial towns.

AFRICA.—A new mission for exploring the interior of Africa has been undertaken, under the direction of Mr Ritchie, late Private Secretary to our Ambassador at Paris. His companion and second in the mission is Lieutenant Lyon, late of his Majesty's ship *Albion*, now at Malta, who volunteered, and was appointed at the recommendation of Admiral Sir Charles Penrose, as being peculiarly qualified for this service. They are accompanied by M. Dupont, a French naturalist; also by a surgeon and a carpenter. The Pacha and a military escort attend them

from Tripoli (where they now are) to Mourzouk, and they are to have a like escort throughout their progress. Mr Ritchie is a young man of promising abilities, and believed to be well skilled in the mathematics.

CEYLON.—The unfortunate war in the Kandyan country is farther from a termination than ever. Some say that 60,000 men will be required to keep the country in subjection, under the present system: including the Seapoys and their coolies, there are, even at present, 20,000 men in the country.

FEBRUARY.

2. HAMBURGH.—General Gourgaud, who is still resident here, has recently applied to the Austrian Minister in this city, for permission to reside in future at Prague. To this application he has received an answer in the affirmative, but with the condition tacked to it, that he must submit to be removed, if necessary, at the will of the Government, to any other part of the Austrian dominions. General Gourgaud has refused the indulgence on those terms, and intends to remain in Hamburgh for some time longer.

NEW SOUTH WALES.—From the date of the English establishment in this colony, till the administration of the present Governor-General Macquarie, Government has been pleased to restrict the population to convicts, which has of course turned the tide of emigration to other shores. But Lord Bathurst, as Colonial Minister, has now taken measures to encourage the voluntary emigration of persons of enterprise and integrity to the colony; and many individuals, possessed of considerable capital,

science, and activity, are already availing themselves of this permission.

INDIA-HOUSE.—This day a Court of Proprietors was held at the India House, for the purpose of laying before them official documents respecting the late military operations in India, and the resolutions of thanks adopted in consequence by the Court of Directors. The chairman having taken a very minute view of the military campaign, which had been so honourably and happily terminated, eulogized the Governor-General for the admirable conduct he had shown during the whole of it, and moved, that the thanks of the court should be given to the most noble the Marquis of Hastings, K. G. for the wisdom, skill, and energy he had displayed, in planning and conducting the war against the Pindaries; and that, while the court regretted the occurrence of any circumstances leading to an extension of territory, it duly appreciated the promptitude and exertions of the Noble Marquis, whereby he had dispersed the gathering elements of a confederacy among the Mahratta states against the British empire. Mr R. Jackson objected to the latter part of the motion, which expressed any regret at the extension of territory; as he conceived the expression of that regret was derogatory from the vote of thanks. He also objected to the words "dispersing the gathering elements," as absurd; and moved an amendment, substituting others in their stead. Mr Hume supported this amendment; which, on the other hand, was opposed by Mr Bosanquet and Mr Grant. It was stated by the latter gentleman, that the Court of Directors had never assented to any extension of territory, except in the case of Tippoo Sultan, who was the

decided enemy of Britain, and whom of course we were obliged to put down. Every extension which had subsequently taken place had not been sanctioned by the Court. He certainly thought the treaty entered into in 1802 between Marquis Wellesley and the Peishwa was impolitic, though he gave every credit to that noble personage for the best intentions in what he did. Of the late Marquis Cornwallis he was bound at all times to speak with respect, considering the integrity of his conduct, his inflexible rectitude, profound judgment, and consummate skill. He would not say that it was not necessary for the present Governor-General to do as he had done; but, when Europe was accusing the company of unbounded ambition, and of wishing to seize the whole territory of India, it became them to persevere in the sentiment they had so long expressed, respecting their regret that any extension should take place, especially considering it had been declared impolitic by the Legislature; and surely, as a body, they were not to be called upon to entertain a different opinion. On taking a general review of the war, he must own he could see nothing in it but the seeds of fresh commotion; for, though it was true that the Pindarries were suppressed, there was no doubt they would again increase, especially as their numbers were composed of persons who were enured to habits of military warfare, which, when discharged, they would not abandon. Mr Howarth said, Pitt, Fox, Burke, and Dundas, all differing in political views from each other, had agreed in pronouncing the extension of territory to be an evil of no small magnitude. After a reply from Mr Jackson, the amendment was agreed to, without a dissentient voice. The following day the thanks of the pro-

prietors were voted to Sir Thomas Hislop, and the other commanders, &c. with a reservation in regard to the conduct of Sir Thomas in putting to death the Governor of one of the forts (Talneur) captured by him.

PARIS.—In consequence of some political dispute, a meeting beyond the Barrier Clichy took place yesterday, at five in the afternoon, between M. de Saint-Marcellin, late an officer of cavalry, and a M. Fayau, his ancient friend. M. de Saint-Marcellin received the ball of his antagonist, in the abdomen, and soon afterwards expired. He had been remarked for his bravery in the expedition to Moscow, and had recently begun to distinguish himself in letters. He was the author of several articles in the *Conservateur*.

6. WINDSOR CASTLE.—“His Majesty has enjoyed an uninterrupted state of good bodily health, and has been very tranquil during the last month, but his Majesty’s disorder remains unchanged.”

OSTEND.—A fraud upon underwriters has recently met with a signal punishment here. The *Klan Jan, De Cocq*, from Ostend to London, sailed on the 14th of December 1814, and put into Flushing Roads, whence she sailed again on the 21st, and the following day sunk about three leagues to the westward of Ostend, to which port the master and crew immediately repaired. But the vessel was soon after taken possession of by some fishermen, and towed to shore on the Flemish coast, when it was discovered that she had been wilfully sunk. At the Royal Exchange Assurance Office, and at Lloyd’s, insurances had been effected on the vessel and cargo to the amount of £.5000. The agent to Lloyd’s at Ostend was, therefore, directed to take measures to bring *De Cocq* to justice; and the result has

been, that he is condemned to labour in irons for life, to be publicly exposed, to be branded on the right shoulder with the letters T. P. (*Travaux à Perpetuité*), and to pay a fine of 100 florins, with the expences of the prosecution. De Bieq, an accomplice, has been sentenced to eight years' close confinement; and the Mate, L'Ecluse, and two of the sailors, to five years' hard labour, public exposure, to be branded, and to pay a fine of 50 florins, with the expences of prosecution. We hope the salutary severity of this sentence will operate as a warning to others, and serve to put a check to frauds of this nature, to which underwriters are so much exposed.

REMARKABLE GALVANIC PHENOMENA.—On the 4th of November last a series of Galvanic experiments were made on the body of the murderer Clydesdale, by Dr Ure of Glasgow, with a voltaic battery of 270 pairs of four-inch plates, with wires of communication, and pointed metallic rods with insulated handles, for the application of the electric power. The results were at once unexpected and awful. In experiment first a large incision was made into the nape of the neck, close below the occiput, and the spinal marrow brought into view. An incision was also made in the left hip, so as to bring the sciatic nerve into sight, and a small cut made in the heel. The pointed rod connected with one end of the battery was now placed in contact with the spinal marrow, while the other rod was applied to the sciatic nerve. Every muscle of the body was immediately agitated with convulsive movements; and on moving the second rod from the hip to the heel, the knee being previously bent, the leg was thrown out with such violence, as nearly to overturn one of the assistants, who in vain at-

tempted to prevent its extension. In the second experiment the rod was applied to the phrenic nerve in the neck, the main agent of respiration, and the success was truly wonderful. Full, nay laborious breathing instantly commenced! The chest heaved and fell, and the belly protruded, and again collapsed with the relaxing and retiring diaphragm. This was perhaps the most striking experiment ever made with a philosophical apparatus. It is believed, that, but for the previous evacuation of blood, pulsation at the heart and wrist might have also occurred. In the third experiment the supra-orbital nerve was laid bare in the forehead as it issues through the superciliary foramen; and the conducting rod being applied to it, every muscle in the murderer's countenance was simultaneously thrown into fearful action. Rage, horror, despair, anguish, and ghastly smiles united their hideous expression in the face. At this period several of the spectators were forced to leave the room from terror or sickness, and one gentleman fainted! The last experiment consisted in transmitting the electric power from the spinal marrow to the ulnar nerve, at the elbow. The fingers now moved nimbly like those of a violin performer; and an assistant who tried to close the fist, found the hand to open forcibly in spite of all his efforts. From the convulsive agitation of the arm, he seemed to point to different spectators, some of whom believed he had come to life! Dr Ure appears to be of opinion, that if, without cutting into and wounding the spinal marrow and blood-vessels of the neck, the pulmonary organs had been set a-playing at first (as the Doctor had indeed proposed,) by electrifying the phrenic nerve (which may be done without any dangerous

incision,) *there is a probability that life might have been restored!*

The Faculty of Advocates have unanimously passed a vote of thanks to Mr George Joseph Bell, for his late excellent publication on the Principles of Mercantile Law. The motion was introduced with much feeling and eloquence by Mr Jeffrey. In the course of the discussion, the Lord Advocate and Messrs Clerk, Cranstoun, and Cockburn took occasion to pay some very flattering compliments to Mr Bell, and to bear testimony to the merits of his invaluable publication.

8. DEGRADATION OF A PRIME MINISTER. — His Chinese Majesty has lately displaced and degraded Sung Ta-jin, his Prime Minister, because he presumed to advise him not to visit certain tombs of his ancestors; and had intimated that a great drought then prevailing was occasioned by the Emperor's intension. This was deemed such glaring disobedience to the commands of his holy Majesty, that it was impossible not to punish it. It was therefore ordered, that he should be deprived of his office, and be reduced to wear a button of the sixth rank, and be sent to the eight standards of wandering shepherds at Cha-haurb. His name is to be retained on the books; and if for eight years he commit no error, he may again be eligible for his former situation.

9. PARIS. — The punishment of death pronounced by the Court of Assises at Tarn on the 4th of May 1818 (in the affair of Fualdès,) against Bach, and the woman Bancal, has been commuted into twenty years' close confinement, without branding or exposure for the former, and into hard labour for life with branding for the latter.

13. WESTMINSTER ELECTION. — The Election of a Member of Par-

liament for the city of Westminster, in the room of the late lamented Sir Samuel Romilly, commenced this day, and continued every lawful day till the 3d of March. The candidates were the Hon. George Lamb, Mr J. C. Hobhouse, and Major Cartwright. Mr Lamb, though a whig in his principles, was understood to carry the court influence; Mr J. C. Hobhouse was merely the creature of Sir F. Burdett, and patronised by him for the purpose of securing a complete ascendancy in Westminster; the venerable Major relied for success upon the universal suffrage men, and his chief supporters were Orator Hunt and John Gale Jones. In the course of this keen and animated contest, Mr Lamb was exposed to every species of abuse from the mob of hired ruffians who surrounded the hustings. At the close of the poll, however, the numbers were:

For the Hon. G. Lamb,	4465
J. C. Hobhouse, Esq. -	3861
Major Cartwright,	38

The High Bailiff then came forward, and declared Mr Lamb to be duly elected. Elated with their triumph, the friends of Mr Lamb determined on chairing him, — a very injudicious measure, in the irritated state of the mob, on account of the defeat of their favourite, Hobhouse. The cavalcade, unaware of the extent of their danger, no sooner appeared in Covent Garden, than a furious attack commenced; the hats and coats of the horsemen were soon bespattered, and Lord Sefton, Lord John Russell, Lord W. Russell, Mr Lamb and others, covered over with dirt as with large plasters. A number of the rioters were seized and committed to Bow Street. But although many gentlemen were grievously polluted with filth of every kind, and several had

received severe contusions, no lives were lost. So much for the advantages of Universal Suffrage, and the nice sense of liberty cherished by the "enlightened" electors of Westminster.

14. ROME.—A tolerable hoax has just been played off on the foreign virtuosi resident in the "Eternal City." An adventurer of the name of Naro, some time ago opened subscriptions to defray the expence of constructing a machine, which was to dredge the Tiber, and recover the numerous and valuable relics of antiquity supposed to be buried in the sand and slime of that river. The sum of 60,000 scudi was accordingly obtained and lodged with the Papal Banker, the Duke of Torlonia; the Pope to receive one-sixth of the subscription, and to have a preference in the purchase of all the monuments recovered. Each subscriber was, moreover, assured that he would receive a premium of 200 scudi on his subscription, besides the interest regularly; and, lastly, the capital when the Tiber had given up all its treasures. The inventor Naro had prudently secured a sixth part on his own account. In due time the machine was constructed, and placed in the Tiber, which was in a little time after flooded; the consequence of which was, the machine was swept away, as the inventor had no doubt anticipated, and along with it the subscriptions and sanguine hopes of the too credulous virtuosi.

15. JAMAICA.—By the arrival of the *Queensberry Packet*, Jamaica papers have been received. A curious contest had arisen between the House of Assembly and the Chief-Justice of the island (the Hon. Thomas Witter Jackson), in consequence of the latter having refused

to be sworn to give evidence before a committee of the House. The Chief-Justice having been ordered to attend at the bar of the House, justified his refusal on the ground that the committee were proceeding to inquire into his judicial conduct. A motion was made for his discharge, which was negatived, 18 to 16. He was then ordered to the bar again, and asked, by the Speaker, whether he intended to deny the privilege of the House to examine himself and all other persons on oath. The Chief-Justice said, most unquestionably not; he had no intention to invade their privileges; his single object was to maintain his own. He was then, on motion, discharged. The legislature was prorogued by his Grace the Governor, on the 19th ult., till the 19th of January. His Grace had complied with the request of the legislature, to open the ports for supplies of provisions for three months.

The following communication respecting the plague at Algiers and Tunis has been made by the Lords of his Majesty's Privy Council to the Commissioners of Customs:—

"Council-Office, Whitehall, Feb. 9. 1819.

"Sir,—The Lords of his Majesty's most honourable Privy Council having had under their consideration a letter from Mr. Hamilton, transmitting a copy of a letter from the Governor of Gibraltar to his Majesty's Ambassador at Madrid, stating, that the plague is raging with great violence, at Algiers and Tunis; I am directed to transmit to you copies of the said papers, to be laid before the Commissioners of his Majesty's Customs, for their information.

(Signed) "JAMES BULLER."
"George Delavaud, Esq."

" *Foreign-Office, Feb. 8. 1819.*

" Sir,—I am directed by Viscount Castlereagh, to transmit to you, for the information of the Lord President of the Council, a letter from the Governor of Gibraltar to Sir Henry Wellesley, his Majesty's Ambassador at Madrid, stating, that the plague is raging with great violence at Algiers and Tunis.

(Signed) " WILLIAM HAMILTON.

" To the Clerk of the Council in Waiting."

" *Gibraltar, Jan. 18. 1819.*

" Sir,—I have just received an official letter from Minorca, of the 28th ult., informing me that a vessel had arrived there from Tunis, after a passage of eight days, bringing accounts that the deaths in that city amounted to above 400 *per diem*. The master of the vessel reported, that just before he sailed, he heard that the deaths had increased to above 600 *per diem*.

" A Dutch frigate has just arrived at Mahon, from Algiers, bringing dispatches up to the 15th ult., by which it appears that fresh attacks of the plague had taken place in that city. The contagion was supposed to have been re-introduced by persons who accompanied the Bey of Constantinas, Califfa, with the quarterly payments for the Algerine Government.

(Signed) " GEORGE DON.

" P. S. The deaths by the plague at Tunis, according to the official returns, from the 1st November to the 1st December, amounted to 12,117.

" GEORGE DON.

" His Excellency Sir H. Wellesley."

Copies of the foregoing have accordingly been transmitted by the Commissioners of Customs to Collectors and Comptrollers.

BANK OF ENGLAND.—An account of the total amount of Bank

Notes, and Bank Post Bills, from the 30th of December 1817 to the 25th of January 1819:—

Bank Notes of L.5,	
and upwards,	L.18,668,660
Bank Post Bills,	1,701,610
Bank Notes under L.5,	7,613,610

Total 19th of Jan. 1819, L.27,983,880

The highest aggregate amount of Bank Notes in circulation, from the 1st of January 1818 to the 25th of January 1819, was L.30,945,880; and the lowest, L.24,610,830.

20. SOUTH AMERICA.—The Spanish Officers taken prisoners by General San Martin in the battle of Maypo, and subsequently entrusted to the care of Dupuy, Governor of Cape St Louis, were barbarously butchered by the populace, on the morning of the 8th, by the connivance, it is supposed, of the Governor and General. This act of unparalleled atrocity has excited universal indignation against its treacherous and inhuman authors.

22. Burns' Anniversary was this day celebrated in the George Street Assembly Rooms, with uncommon eclat; J. A. Murray, Esq. in the chair, and Captain Adam, croupier. In the course of the evening Mr Jeffrey delighted and fascinated every body by the coruscations of his wit, and the charms and splendour of his eloquence. Nothing could be more felicitous than his character of Professor Playfair, previous to proposing his health: which was drank with deafening and reiterated shouts of applause.

SINGULAR FATE OF SOME OF THE FRENCH REVOLUTIONARY GENERALS.—General Dumourier, exiled, now lives in retirement, on a pension of L.1200 *per annum* from the British Government; Luckner, Custine,

Houchard, Biron Duc de Lauzun, (author of the Infamous Memoirs,) Westerman, Rousin, and Rossignol were guillotined under the government of Robespierre; Miranda, a native of Caraccas, died lately in Cadiz, a state prisoner; Hoche and Championet were poisoned; Kleber was assassinated in Egypt; Pichegru was first exiled from his native country, and afterwards strangled in prison; Brune was assassinated at Avignon, in 1815; Malet and Lahorie, (the latter was implicated in George's conspiracy, but fled from France,) were shot for attempting to subvert the government of Buonaparte in 1812; Ney and Mouton Duvernet were shot in 1815, after the restoration of the Bourbons; Murat having fallen into the hands of the Calabrese, was shot by order of the King of Naples, after having himself been sovereign of that country; Moreau was first exiled from his country, and having returned and joined the Allies, was killed at the battle of Dresden in 1813; and Berthier was thrown out of a window and killed, his murderers not being known. The following are at present exiled from France; Grouchy, Vandamme, Thureau, Savary, Soult, Humbert, Bertrand, Lefevre Desnouettes, and the brothers Lallemand.

MARCH.

2. ROME.—*Monument to the Stuarts.*—This splendid monument of the liberality of the Prince Regent has just been erected in front of the chapel of the Baptistery of St Peter's. It is executed by Canova, but is not thought to be one of his most successful works. Its form is a species of pyramid, terminating in a sarco-

phagus ornamented with flowers; it is composed of white Carrara marble. The pyramid contains a gate, on each side of which is a Genius of Death, with a flambeau reverted. Above the gate, and on a cornice, are the three busts of James III. and his two sons, with the following inscription: *Jacobo III. Jac. II. Mag. Brit. regis filio, Carolo Eduardo et Henrico, Decano Patrum Cardinalium, Jacobi III. filiis, regiae stirpis Stuardiae postremis, anno 1819: and lower down, Beati mortui, qui in Domino moriuntur.*

8. This day the largest and most respectable meeting of Catholics which ever took place in Ireland, was held in the Old Chapel in St Mary's Lane, the Earl of Fingal in the Chair, for the purpose of expressing, in the most marked manner, the gratitude of the Catholic body to the Protestants who have lately come forward to petition Parliament in their behalf.

Our readers will recollect the strong impression made by a pamphlet, entitled, "Junius identified with a living character," in which, with a great deal of ingenious and plausible reasoning, it was attempted to be proved that Sir Philip Francis was the author of these celebrated letters. No allusion whatever is made to this circumstance in Sir Philip's will, dated the 28th of April 1818, which has been recently proved at Doctors' Commons.

10. The Duke of Wellington presided this day at the Anniversary Dinner of the "Friends of Foreigners in Distress." He was supported on his right and left by the Russian Ambassador and the Saxon Minister. Mr Wilberforce was among the company. The toasts and songs were of the usual description: the only novelty was the toast proposed by the Duke of Wellington, "Their Ma-

jesties the Emperor of Russia, the King of Prussia, and the King of Wurtemberg, the protectors of the Institution," which was hailed with three times three, and was followed by an assurance on the part of the Duke, that "the high personages whose health they had drank were not less illustrious for their Christian philanthropy than for their deeds in arms." It was the twelfth anniversary of this laudable institution. It appeared from the Report, that between 9000 and 10,000 persons have been relieved since the commencement of this society. The collection yesterday was three times greater than on any former occasion. Among the subscribers were the Archduke Maximilian, the Duke of Wellington, the Duke of San Carlos, and Mr Wilberforce.

12. This day the King of France issued a Royal Ordonnance for the creation of fifty new Peers, in order to ensure a majority in the Upper Chamber. This has, at all times, proved an expedient as dangerous as it is clumsy; and when we reflect upon whom this honour has, in the present instance, been bestowed, we cannot help thinking, that in elevating to the dignity of the peerage so many men trained in all the excesses of revolution, and by education, habit, and principle, (if they have any,) the deadly enemies of his House and name, the King of France has been contributing to consolidate the authority of those who may, one day, assist, as they have done before, in overturning his constitutional throne. The very first name is that of Marshal Suchet, who reviled the Bourbons during the Hundred Days; Marshal Moncey, who was stripped of his peerage for adhering to Buonaparte, and deprived of his marshal's staff for refusing to preside at the trial of Marshal Ney; Count Chap-

tal, notorious for his animosity to the Bourbons, and his attachment to Buonaparte; General Champagny (Duke of Cadore,) a favourite minister of Buonaparte; Count Dejean, a most zealous Buonapartist; Count Lacépède, a man highly favoured by Buonaparte; Count Mollien, Buonaparte's minister of finance during the Hundred Days; Count Pontecoulant, a most active person in Buonaparte's Chamber of Peers during the Hundred Days; General Kapp, a favourite aide-du-camp of Buonaparte, and one of the first who joined him during the Hundred Days; Marshal Davoust, the last who clung to the fallen fortunes of Napoleon, who fired upon the bearer of the Bourbon flag, at ~~Hamburgh~~, after the restoration,—who was the first person invested with command, and the last who abandoned it, during Buonaparte's second reign. The new peers, or their partisans, have adopted an effective mode of asserting their equality with the noble families of the old *regime*. They have published, from old records, an account of the origin of several of what are considered the most distinguished families of France. The founders of these appear to have been quite as humble as the nobles of the revolution.

Disturbances are said to have broken but at Nismes, in consequence of the general feeling produced by the attack of the ultra-royalists on the election law. On the 7th inst. a large assemblage was formed in front of the theatre, when many violent indications of the unsettled state of the public mind were exhibited by the populace. The magistrates interposed, but without effect. The patroles, employed to keep order in the streets, were insulted and pelted by the people. No blood, however, was

lost, nor any serious injuries sustained; and on the following day, the arrival of Colonel de Briche, commandant of the district, with 500 men, suppressed the tumult, and restored tranquillity. The private correspondence from Paris gives the following explanation of the affair:—“On the 9th and 10th of March, an Ultra Royalist movement took place at Nismes. The men who committed so many excesses in 1815, the assassins of General Lagarde, have taken advantage of the departure of the Swiss regiment of Bleuler, to re-assemble in great numbers on the public walks, to re-echo their ancient cry of cannibals, *The Bourbons, or death!* The Protestants immediately shut themselves up in their houses, and prepared to sell their lives dearly. The national guard, commanded by the Marquis de Pange (one of the 50 new Peers), armed themselves, as well as the gendarmerie. Twenty of the rioters were arrested; but they were almost immediately rescued by a strong body. The voice of reason appeared to be at last heard; for at the departure of the courier, tranquillity was nearly restored. The new Prefect of Nismes, M. d'Haussez, who was at Paris, set out in great haste this night to repair to his post. It is said that he is provided with very full and ample powers.”

GAME LAWS.—By a return made to Parliament, of the number of persons in custody in England and Wales, for offences against the Game-laws, distinguishing those who have been committed under the act 57 Geo. III. cap. 90, and specifying their respective sentences under the same, it appears, that on the 26th of January last, in 186 of the prisons, there was no person in custody for any offence against the game-laws; and that in 75 prisons there were then in custody for such offences 522; of whom 99 had been commit-

ted under the act 57. Geo. III. cap. 90; of the latter number the sentence of transportation for seven years was passed upon 9; of imprisonment for two years on 20; for eighteen months on 6; for one year on 22; for six months on 12; for three months on 5; for two months on 2; and there remain for trial 23.

ITALIAN BRIGANDS.—The following letter, from the Hon. B. Colyear, to his father, Viscount Milsinton, tho' very defective in point of composition, will be read with interest: it contains a striking illustration of the relaxed state of the laws, and especially of the police, since the overthrow of the French power in Italy. Napoleon, with all his errors and crimes, saw the necessity of exterminating those hordes of brigands, who carried their atrocities and depredations to the very gates of Rome itself; and had his system been followed up with any thing like commensurate vigour, there can be no doubt that Italy would, in a short time, have been freed from this remorseless and daring banditti. The case of Mr Colyear is a good deal similar to that of Signor Cherubini, the surgeon of Castel Madama, of which the reader will find a very interesting account in Mrs Graham's work, entitled, “Three Months passed in the Mountains east of Rome, during the year 1819.”

“My dear father,—I have taken the earliest opportunity of writing to you, to say that we have *not* been assassinated, as I was fearful the news might reach England before my letter. We have just escaped with our lives, and only just. I will now tell you: thirty miles from here, between Rome and Naples, at half-past two, in the middle of one of the finest days you ever beheld, the sun shining beautifully, seven of the celebrated banditti rushed from out of the wood. Grieve and myself were on

the box; each man levelled his gun at us; the post-boy fell off his horse; we immediately finding it quite impossible to resist, got on the ground as soon as possible. They began by me; I had nothing in my pockets but my watch, which I saved; next attacked Jabus, tore his clothes all open, took all his money, watch, &c.; then from Grieve and his servant, took both their watches, and stabbed Grieve's servant in several places with a stiletto.

"They were more capitally armed than any thing you ever saw; they then began upon the carriage, got in, and turned every thing out; the first object was my *poor dressing case*, with snuff-boxes, watches, all my fox-hunting matters, brushes, combs, &c.; took every one; next all our money, not one sixpence left either of ours or servants'; they then knocked me down with the barrel of the gun, tore my ring off my finger, which they were just going to *cut off*; only my ring came off; then tore my shirt pin from my neckcloth, kicked me under the horses, leaving one man standing over me, with the muzzle of a loaded gun at one ear, and another with a stiletto, if I moved, to murder me; they then broke open the front trunk, and took every single shirt, neckcloth, and stockings, shoes of both servants, so they have neither money nor clothes; they took most of my clean things, but would not take any dirty. Grieve has lost all his except his uniform; they packed them up in seven sacks, and each took his sack, and walked quietly away into the wood again. I can assure you we were for twenty-three minutes every instant expecting to be shot or stabbed, as they told us we should, if any one spoke; and threatened, if they did not find enough plunder, to send us up the mountains, and would have 300 du-

cats ransom for each; if not given in so many days, we were to be tortured to death. They have got our all, value L.400; L.30 or L.40, which is thought nothing of, having saved our lives: I assure you, for half an hour I expected every moment to die; they were half an hour robbing us. Thank God for our safety, which was many degrees against us. I have now not a shilling in the world, nor a thing left except life; I am pretty well considering being nearly frightened to death: I am a little bruised by the barbarians, but shall be well again in a week. Don't believe any other stories that you hear, as every body is writing to England about it. *This is true.* The Pope and all the secretaries we have been ~~with~~ this morning; they have sent into the mountains after them; I hope they will find them; this will delay me ~~here~~ longer than I wish, but hope not above a fortnight. Brudenell has been good enough to send me clothes to wear. I shall draw upon Surman for money; tell him so. I am not well enough to write to him at present, but will as soon as I can. I have written to you, for fear you should hear we were murdered, as every thing increases by telling. The people now going to Naples are all frightened to death. Naples is beyond any thing delightful, the best place by far, except Paris, upon the Continent. Grieve is quite well; the weather is delightful, quite summer, only a great deal of rain. Half an hour after our robbery our carriage broke down; we were in the middle of a stage, no money to mend it, and nothing to eat, and raining dreadfully. We think of returning to England by the last week in March, by Leghorn, Genoa, Turin, and Paris. There are a great many English here. The Carnival I have seen part of at Naples, been at two masked balls.

and it begins here in three days. I shall stay to see the horse races in the course, a little Carnival at Florence, and shall get to Paris for the last week there. I remain your affectionate son,.

“BROWNLOW COLYEAR.

“We have no money left, but the banker here has been very civil. Our poor servants have lost every thing in the world. They got from us what they think was meant for some great Prince who was travelling. Adieu. I have not seen ice this year; we are all sitting with the windows open.”

Among the peculiarities of the late Dr Burney, were two of a very innocent kind: the first was, the possession of the best wine, of the best vintage; the next, a dread of a fresh current of air. “Shut the door,” was the first salutation uttered by him to any one who entered his apartment, and but few of his associates ever neglected this rule. This custom, it seems, did not abandon him, even on the most critical and trying occasions; for it is said, that having been robbed while returning home one evening in his own carriage, along the Greenwich road, by a couple of footpads, who were more eager in obtaining his money than contributing to his accommodation, he called them back in a peremptory tone, and while they were wondering at what he wanted with them, he exclaimed, in his usual manner, and with his own peculiar emphasis, “Shut the door!” A voice accustomed to command produced the desired effect, and he was instantly obeyed.

17. PARIS.—Count Regnault de St. Jean d’Angely, who at length received permission to return to his country, has come back only to die. He arrived yesterday evening at nine o’clock, and a little after midnight breathed his last. Banishment first undermined his health, and then de-

prived him of reason. This man, who was little known, opposed, in a manly and intrepid manner, (in the Council of State,) the ruinous projects of Napoleon. He is said to have been extremely amiable in private and domestic life; and is very generally regretted.

ROME.—The Ex-King of Holland now lives here in the greatest retirement, and is wholly engaged with the education of his son. His sister, the Princess Borghese, on the other hand, lives in great splendour, and resides in a fine hotel. A Scotch nobleman, the Marquis of Douglas, who visited Buonaparte in Elba, and asked for his portrait, visits her frequently.

18. TRADE OF HAMBURGH.—There is, probably, no commercial city where the sources of gain have experienced such remarkable alterations as in Hamburgh. It is well known that this city owed its original prosperity to the breweries: at present the beer is, of all the kinds brewed in Germany, the worst, at least the most unknown. Ten years ago sugar-refineries flourished, and the sugar was exported to the remotest countries, even to those which had sugar-refineries of their own. The latter, indeed, is still done, especially to Russia, where only Hamburgh sugars, as being the most durable, are fit for being sent into the interior of that immense empire; but since sugar-refineries have been excessively multiplied in all foreign countries, and the prices of refined sugar have fallen in proportion to those of raw, the exportation of this article is now so inconsiderable, that the manufacturers must be diminished in number every year, or become bankrupts. At present, insurances have become a branch of business to an extent never before known. Hamburgh has at present twenty active

insurance companies, each with a capital of from 450,000 to 1,500,000 marks banco: besides these there are a great number of private insurers.

18. This day came on, at the Palace of Holyroodhouse, the election of a Peer to sit in Parliament as one of the Representatives of the Scottish Nobility, in the room of William, Earl of Errol, deceased, when Robert Montgomery, Lord Belhaven and Stenton, was elected by a majority of ten votes, there being for his Lordship twenty-nine, and for the other candidate, Thomas, Earl of Selkirk, nineteen votes.

19. The Government of Surinam has published an ordinance of his Belgian Majesty, prohibiting the Slave Trade under severe penalties; but permitting the transit of slaves from a Dutch or Foreign Colony to another Dutch Colony in the West Indies.

20. The Gazette of this day announces the Prince Regent's approbation of the following scale of rewards, proposed in a Memorial from the Board of Longitude, taken into consideration by his Royal Highness in Council, on the 19th instant, viz.: 1. To the first ship belonging to any of his Majesty's subjects, or to his Majesty, that shall reach the longitude of 110° west from Greenwich, or the mouth of Icarne's or Coppermine river, by sailing within the Arctic Circle, L.5000: to the first ship, as aforesaid, that shall reach the longitude of 130° west from Greenwich, or the Whale Island of Mackenzie, by sailing within the Arctic Circle, L.10,000: to the first ship, as aforesaid, that shall reach the longitude of 150° west from Greenwich, by sailing westward within the Arctic Circle, L.15,000: the act having already allotted to the first ship that shall reach the Pacific Ocean by a north-

west passage, the full reward of L.20,000. 2. To the first ship, as aforesaid, that shall reach to 83° of north latitude, L.1000; to 85° L.2000; to 87° L.3000; to 88° L.4000; the act having already allotted to the first ship that shall reach to, or beyond, 90° the full reward of L.5000.

26. The question, as to the impolicy of the longer continuance of the present copyright act, which compels authors and publishers to give eleven copies of their works to public libraries, is again coming under the discussion of Parliament. A petition was this day presented to the House of Commons from Messrs Lackington and Co., praying relief from the very oppressive operation of the present law, which creates a loss of L.2454 : 7 : 6 upon the following six works alone, now in the course of publication, the whole of which were commenced prior to the contemplation of the present copyright act:

Dugdale's Monasticon Anglic.	L.819	0	0
Dugdale's Hist. of St Paul's,	189	0	0
Portraits of Illustrious Personages,	630	0	0
Hoare's Hist. of Wiltshire,	241	10	0
Ormerod's History of Cheshire,	315	0	0
Wood's Athen. Oxon. by Bliss,	259	17	6

L.2454 7 6

27. PHILOSOPHICAL HOAX.—Every one knows, or ought to know, that the grand problem of the perpetual motion has been solved by a shoemaker of Linlithgow, to the utter confusion of all former speculators. Having shut up the magnetic power by magical sluices, like mill water, he lets it flow when he plea-

ses, and keeps the beam jiggling for months together, to the astonishment of the whole world, and the Royal Society of Edinburgh. Some profound members of that learned body, including a travelled Baronet, have especially patronised him, by visiting, puffing, and paragraphing his wonderful invention. He came before them, indeed, doubly certified; a faithful account of his head, with all its bumps and depressions, having previously been submitted to Spurzheim, who found in it a monstrous organ of engineering, far surpassing that of the bee or the beaver. Having prepared a clock upon his new magnetic principle, it was carried by the learned men to the Caltonhill Observatory, and sealed up, in the full confidence that it would be found going when the National Debt was paid off, in the year of our Lord 4819. A stop at the end of three days raised no doubts in the minds of the philosophers. But, in the meantime, a watchmaker, whose mouth had not been put under seal like the machine, whispered that he had furnished the inventor with a clock which disdained any obligations to magnetism, being moved by the vulgar power of a spring, and calculated to go two months! The learned men, indignant at this intelligence, brought the inventor and watchmaker together to the Observatory, when the latter affirmed, that the perpetually moving clock was, as far as he could judge, the ideptical machine made by himself, at least that he had made all that he saw; adding, with due precaution, that "if they would open the instrument he would tell them whether it contained the spring he had made for it." The wise men, astonished at the cool effrontery of this unphilosophical watchmaker, were about to proceed to examine the

corpus delicti, when the inventor interfered, saying that the clock was his property; and having declared that he would not allow it to be opened for five hundred guineas, snatched up the machine, and marched off with it under his arm; leaving the philosophers with much of the feeling displayed by Sir Peter Teazle, when his lady was discovered by the falling of the screen. It is said that it will take a world of pains to undo the mischief already done; written communications having been sent to learned societies in London and other places. Even the French Institute was practised upon, but the scavans there were cold, repulsive, and sceptical. In the meantime, it is desirable that the projector's head were again examined, if peradventure *another* sort of *invention* than the mechanical may be found in it. The scene of the denouement on the Caltonhill was a rich one, and altogether worthy of the pencil of Hogarth, or the pen of Colman.

After a long and tedious discussion, the American House of Representatives have, by a great majority, refused to concur in the Report of the Committee, censuring General Jackson's conduct in consigning to military execution our two innocent and unfortunate countrymen, Arbuthnot and Ambrister. Thus the national sanction has been given to two as foul and atrocious murders as were ever perpetrated by any despot of ancient or modern times. The defence set up for this not unlooked-for decision, is General Jackson's popularity, and the services he has rendered the Republic; a plea which, in our judgment, aggravates the guilt of this most flagrant breach both of the law of nature and of nations. Is it by services similar to this that General Jackson has acquired such popularity, and entitled himself to

the gratitude of his American countrymen?

30. Very inaccurate details having been circulated relative to the assassination of Kotzebue, the following account was published as an authentic statement in a Journal of Frankfort, of the same date as the above. Sandt, the assassin, a German student in the University of Tubingen, descended of a respectable family of Wundsiedel in the territory of Bayreuth, presented himself about five o'clock, at the residence of M. de Kotzebue, and some ladies coming up to the door at which he had just knocked, he let them enter before him. They were on a visit to M. de Kotzebue. Sandt remained in the hall, and requested the servant to announce him to the Councillor of State. The servant returned, and shewed him into a room, where M. de Kotzebue shortly joined him. It does not appear true that he proposed a duel to M. de Kotzebue, or that he read his sentence of death written on a large sheet of paper, as was at first reported. He must have struck his victim at the very instant that he approached him; for scarcely had M. de Kotzebue entered the room, when the servant heard a loud shriek, and a noise of something which fell: he entered, and saw his master and the student stretched on the floor. The weapon with which he struck his victim was a poinard, which penetrated the heart. It appears, also, that having been dragged to the floor by M. de Kotzebue, he stabbed him a second time through the lungs; a wound was likewise inflicted on his face. The ladies ran to the room, opened the windows, and in loud and piercing accents called for help and a surgeon. Miss Emily Kotzebue, with the assistance of the servants, bore the body of her father

into the adjoining apartment, where he expired a few minutes afterwards. The assassin rose up with a composed air, and flourishing the bloody poinard, descended the door-steps, exclaiming, "The traitor is dead! the country is saved! *Vivat Teutonia!*" Observing that a crowd had assembled in front of the house, he violently forced his way through them: but hearing the ladies exclaim from the open window, "There is the assassin!" he returned, cast a wild look towards them, and lifting up the poinard with one hand, and a piece of paper in the other, exclaimed, "Yes, I am the murderer! It is thus that all traitors ought to perish!" On the paper was written, "The death-blow of Augustus Von Kotzebue, in the name of virtue!" He then knelt down amidst the assemblage, which increased every moment, and raising his hands to Heaven, exclaimed, in a wild tone, "God, I thank thee for having permitted me to accomplish this act!" After this he opened his bosom, plunged the poinard in his breast, and fell without any signs of life. Having recovered the use of his senses in the Hospital, to which he was conveyed, he spoke of the assassination with a kind of ecstasy. "He is then dead," he exclaimed, "that Russian Spy! It was a demon of hell that inhabited the body of Kotzebue; it would not quit him; it gave me a terrible grin at parting!" Every thing proves that the assassin was an insane fanatic, and that he had long meditated the crime which he at last but too successfully perpetrated. The Russian minister at Carlsruhe, M. Struye, and the Prussian minister, M. Vernasen de Euse, immediately dispatched extraordinary couriers to their respective courts with the intelligence of this assassination.—Sandt was executed on the 20th of May at Manheim,.

continuing to the last to felicitate himself on the crime he had achieved, and to assert that he had no accomplices.

ARCHBISHOP OF JERUSALEM.—This day arrived at Oxford the most Reverend Gregory Peter Giarve, a native of Damascus and Syrian Archbishop of Jerusalem. His principal object in paying a visit to the University was to examine the Arabic MSS. of the Old Testament in the Bodleian Library, in order to ascertain which contained the version best adapted for being printed and circulated in Syria. But the Archbishop's more immediate object in undertaking a journey to Europe was to procure presses and Syrian types, in order to have the means of printing editions of the Bible and Theological Treatises at his own Monastery of Santa Maria Liberatrice on Mount Libanus; which could by that means be more correctly executed than in Europe. Arabic is the common language of Syria. The Archbishop resided for a considerable time in Italy, and for some time in Paris before he came to England. The only European language he speaks is Italian. He is profoundly acquainted with the Arabic, and knows also the Syriac, in which the liturgy of the church is read.

ALGERINE AMBASSADOR.—A few days ago the Algerine Ambassador, Ali Reis, arrived at Blake's Hotel, Jermyn Street, London, attended by Colonel Malcolm and Captain White, R. N. He is the chief officer of the Algerine navy, and commanded the port at Algiers at the time of Lord Exmouth's attack upon that city in August 1816.

EUROPEAN STATISTICS.—The present population of Europe amounts to 177,221,600 persons, scattered over 154,450 geographic square miles. This population, considered

in an ethnographical point of view, comprehends 53,195,000 Teutonians or Germans; 60,586,400 descendants of the Romans; 45,120,000 Slavonians; 3,718,000 Caledonians; 3,499,500 Tartars and Bulgarians; 3,070,000 Magarians; 2,022,000 Greeks; 1,760,000 Finlanders; 1,610,000 Cimmerians; 622,000 Basques; 313,600 Guistes; 294,000 Arnauts; 131,600 Armenians; 88,000 Maltese, &c. There are 1,179,500 Jews; 3,607,500 Mahometans; and 172,432,500 Christians; of whom there are 98,229,000 Catholics, and 41,899,500 Protestants. Europe is divided politically into seventy-eight sovereign states, nominally independent. Their aggregate forces in peace are 1,600,000; and on the war establishment, 3,600,000. Their maritime forces consist of 409 ships of the line, 38 ships of 50 guns, 348 frigates, and 1,563 vessels of an inferior class.

APRIL.

1. MURDEROUS DUEL IN AMERICA.—Reports having been in circulation calculated to induce a belief that the gentlemen who were the friends of General A. T. Mason, in the fatal termination of his quarrel with Mr McCarly, had been instrumental in urging the affair to its unfortunate issue, it has been thought proper to publish a simple statement of facts; premising, that not even the nearest relatives of the deceased can more sincerely regret than do those gentlemen, the determination of General Mason, to prosecute this business to its ultimate result. 1. It is well known to a number of General Mason's friends, that he had resolved on challenging Mr McCarly, in opposition to all the advice which

they gave, and all the efforts which they made to dissuade him. 2. One of the two gentlemen who were the friends of General Mason in the field, had, some time before, made similar exertions to dissuade him from the course he intended, and with similar bad success. 3. Before a personal interview had taken place between General Mason and his seconds, his letter, containing positive instructions for their government in conducting the affair, was written. This letter inclosed a communication for Mr M'Carty. The letter to Mr M'Carty not having been read by that gentleman, it is only thought necessary to give such extracts from it as show clearly that the determination of General Mason was made independently of any consultation with his seconds. This letter is dated "Richmond, Jan. 9. 1819." The following are extracts from it:—"Sir; I have resigned my commission for the especial and sole purpose of fighting you; and am free to accept or send a challenge, and to fight a duel. The public mind has become tranquil, and all suspicion of the further prosecution of our quarrel having subsided, we can now terminate it without being arrested by the civil authority, and without exciting alarm among our friends." "This effort has been delayed by my anxiety to effect such an arrangement of my affairs as my duty to my family required. That arrangement is just effected." "My friends * * and * * are fully authorised to act for me in every particular. Upon receiving from you a pledge to fight, they are authorised and instructed at once to give the challenge for me, and to make immediately every necessary arrangement for the duel, on any terms which you may prescribe." The following are extracts from the

letter of instructions, which is dated "Richmond, Jan. 9. 1819:"—"Gentlemen; You will present the inclosed communication to Mr John M'Carty, and tell him at once, that you are authorised by me to challenge him, in the event of his pledging himself to fight.* If he will give the pledge, then I desire you that you will instantly challenge him, in my name, to fight a duel with me. You are not authorised to give a verbal challenge; it must be reduced to writing. Agree to any terms he may propose, and to any distance; to three feet, his pretended favourite distance, or to three inches, should his impetuous and rash courage prefer it: to any species of fire-arms, pistols, muskets, or rifles, agree at once."—Other incorrect reports being current respecting the interviews and communications between the respective friends of General Mason and Mr M'Carty, it is thought proper to state, 1. That, on presenting the challenge, two modes of terminating the affair were proposed by Mr M'Carty: 1st, to fight on a barrel of gunpowder; and, 2dly, to fight with dirks; both which were objected to, as not according with established usages, as being without example, and as calculated to establish a dangerous precedent. 2. That a third mode was proposed in the following written acceptance of the challenge; which the seconds of General Mason were bound to accede to, both from the positive instructions of their principal, and from the laws which govern the settlement of disputes in the field of honour:—"Gentlemen; I agree to meet and fight your friend, General A. T. Mason, to-morrow evening, at five o'clock, at Montgomery Court House. As I am at liberty to select the weapon with which I am to fight, I beg

leave to propose a musket charged with buckshot, and at the distance of ten feet. (Signed) J. M. M'CARTY. Feb. 4. 1819." 3. That it was proposed by the friends of General Mason, and agreed to by Mr M'Carty, to substitute a single ball for buckshot. 4. That it was agreed by the friends of both parties to postpone the meeting until ten o'clock on Saturday morning; and that on the ground, the distance measured exceeded twelve feet. It now only remains to state, that all reports respecting the indecorous deportment of either party on the ground are entirely false; that the unfortunate meeting took place at the appointed time, and that the affair, although fatally, was honourably terminated. No man ever exhibited more perfect coolness and self-possession than did General Mason on this melancholy occasion. It is due to the friends of Mr M'Carty, who are not aware of this publication, to state, that their deportment throughout the whole business was perfectly correct. It has been reported that General Mason was struck by three balls. At the request of his friends, the executors of General Mason consented to an examination of the body; and after a minute dissection, it was clearly ascertained that but one ball had entered the deceased.

3. WINDSOR CASTLE. — His Majesty continues to enjoy a good state of bodily health, and has been tranquil and cheerful through the last month, but his Majesty's disorder remains undiminished.

5. VALENCIENNES. — The events which have borne heavy upon France for some years past, had caused the triple line of fortresses to be neglected, which extends from the upper Rhine to the North Sea, and forms an almost insuperable barrier when well defended. Marshal Gouvion

St Cyr, the Minister of War, has adopted a plan, which the King has approved, to increase the strength and independence of France, by making its power respected abroad. Besides, the ancient system of defence created by Vauban has undergone some changes by the cession of the important fortress of Landau to Germany, and of Philippeville and Marienburgh to the Netherlands. On the other hand, Luxemburg, the Gibraltar of the centre of Europe, is a fortress of the German confederation. The frontiers of Prussia touch those of France, and the Moselle and the kingdom of the Netherlands will shortly be covered by a line of fortresses which are erecting with a rapidity that is truly astonishing. Under those circumstances, it has been judged indispensable that France should take a respectable attitude. In consequence, all the fortresses of the first, second, and third ranks will be successively put in an excellent state of defence. Artillery, and all the materials necessary to arm them completely, are to arrive from the interior during the spring, and will be distributed among the fortresses that need a supply. The cannon unfit for service will be recast at Douay. The new organization of the army proceeds with rapidity. The legions of foot, and the regiments of horse in garrison in the sixteenth military division, daily receive a considerable number of recruits. Many old soldiers willingly resume their arms, especially since a great number of the officers who have so often led them to glory have been recalled to their standards. The third battalion of each legion is forming, and the complete organization of the army of reserve will soon realize the new military system. Many officers on half-pay have lately received commissions. The two regi-

ments of infantry of the royal guard in garrison in this city and Lille are also completing by voluntary enrolments.

6. A QUACK DOCTOR.—At Stafford Assizes a cause was brought on at the suit of the Apothecaries' Company, against the son of a man who had been originally a gardener, but who had long exercised the business of a *cow-leech* and *quack doctor*; the son claiming a right of following the profession of an apothecary, through having studied under his renowned father. In the cross-examination of the father, by Mr Dauncey, he was asked if he had always been a surgeon? The witness appealed to the Judge if this was a proper answer, and whether he must reply to it; and at last said, "I am a *Surgent*." Mr Dauncey asked him to spell this word, which he did at several times, viz. "*Syurgunt*," "*Surgend*," "*Surgunt*," "*Sergund*." Mr Dauncey said, "I am afraid, Sir, you do not often take so much time to study the cases which come before you as you do to answer my question." "I do not, Sir." Witness said, he never employed himself as a gardener, but was a farmer till he learnt his present business. Mr Dauncey said, "Whom did you learn it of?" "I learnt it of Dr Holme, my brother-in-law; he practised the same as the Whitworth doctors, and they were regular physicians." Mr Dauncey, "Where did they take their degrees?" Witness, "I don't believe they ever took a degree." "Then were they regular physicians?" "No! I believe they were not, they were only doctors." "Only doctors! were they doctors in law, physic, or divinity?" "They doctored cows and other things, and *humans* as well." Judge to witness: "Did you ever make up any medicine by the prescription

of a physician?" "I never did." "Do you understand the characters they use for ounces, scruples and drachms?" "I do not." "Then you cannot make up their prescriptions from reading them?" "I cannot, but I can make up as good medicines in my way as they can in theirs." "What proportion does an ounce bear to a pound?"—(A pause.)—"There are sixteen ounces to the pound; but we do not go by any regular weight, we mix ours by the hand." "Do you bleed?" "Yes." "With a fleam or with a lancet?" "With a lancet." "Do you bleed from the vein or from the artery?" "From the vein." "There is an artery somewhere about the temples; what is the name of that artery?" "I do not pretend to have so much learning as some have." "Can you tell me the name of that artery?" "I do not know which you mean." "Suppose, then, I was to direct you to bleed my servant, or my horse, (which God forbid!) in a vein, say, for instance, in the jugular vein, where should you bleed him?" "In the neck, to be sure." The Jury almost instantly returned a verdict for the plaintiffs.—Damages L.20.

12. ANECDOTE OF ABBAS MIRZA, CROWN PRINCE OF PERSIA.—Abbas Mirza, Crown Prince of Persia, is one of the most remarkable men of our times. He was born in the year 1782, and every one expects great changes when he ascends his father's throne. His intercourse with learned Europeans; his speaking the English and French languages very fluently; his introduction of the European and military system and discipline, and forming on that system a body of 10,000 infantry, and, a considerable corps of artillery, and other measures, display a mind of no common order. Abbas Mirza is not a mere soldier,

but his finer qualities render him still more worthy of the throne. Moritz Von Kotzebue relates the following honourable anecdote of him: "The Russian Ambassador," says he, "perceived in the garden belonging to the Prince, a projecting corner of an old wall, which made a very ugly contrast with the rest, and disfigured the prospect. He asked Abbas Mirza why he did not have it pulled down? "Only think," replied the Prince, "I have bought this garden from several proprietors in order to make something magnificent; the proprietor of the place where the wall projects is an old peasant, the only person who positively refused to sell me his piece of land, as he would not part with it at any price, it being an old family possession. I must confess it is very vexatious, but notwithstanding, I honour him for his attachment to his forefathers, and still more for his boldness in refusing it me: but I will wait till an heir of his shall be more reasonable."

13. ARCHBISHOP OF JERUSALEM.—

"This day the subscribers to the fund for assisting the Syrian Archbishop of Jerusalem, in diffusing Christian knowledge in Syria, by forming a printing establishment on Mount Libanus, met at the Freemasons'-tavern, to the number of seventy or eighty individuals; among whom were recognised Lord Teignmouth, Messrs Wilberforce, Butterworth, Leigh, &c., and the Rev. Josiah Pratt, John Owen, Samuel Lee, and many other respectable members of the community. About half past 1 o'clock Lord Teignmouth was called to the chair, who briefly explained to the meeting the reasons for which it had been convened. His Lordship observed, that as it was their bounden duty to propagate the Chris-

tian religion in every country under Heaven, they ought not to neglect so glorious an opportunity of performing this duty in the extensive regions of Asia as was now afforded them by the arrival of the Archbishop of Jerusalem in this favoured country. That venerable personage was not less distinguished by his learning and his piety than he was by the zeal with which he endeavoured to promote the cause of Christian knowledge. He had travelled from Syria with no other view than that of procuring assistance to enable him to disseminate such religious instruction among the flock over which he presided as was calculated to make them understand more fully the sublime truths and the grand moral lessons which are inculcated by genuine Christianity. He had applied at Rome, and he had applied at Paris, for this assistance; but neither Rome nor Paris were possessed of sufficient generosity to afford it. He (Lord Teignmouth) was almost glad to say that they had not, inasmuch as it gave this country the opportunity of performing those services to their Asiatic brethren which both the other countries to whom the Archbishop had applied had refused to render. The Archbishop was now about to return to the regions which he had left with such beneficent intentions, and it was therefore thought proper, by those who had subscribed their funds to aid the religious purposes which he had so nobly attempted to effect, that he should receive a valedictory salutation at their hands before he quitted the shores of England. —The Rev. Josiah Pratt then rose, and gave a concise description of the objects which had led the Archbishop to leave his own country, and the success which he had experien-

ed in his endeavours to secure them. From this account it appeared, that the Archbishop, who professes the Roman Catholic religion, had left his convent on Mount Libanus, (*Convento della Maria Liberatrice*;) from a conviction, that without further assistance than the funds of his convent were able to supply, it would be impossible to administer that spiritual instruction to the Christians of Palestine and Syria, which their wants so imperiously demanded. In his endeavours to obtain that assistance, he had come to England, and had already, as he (Mr Pratt) was glad to inform the meeting, seen upwards of L. 430 subscribed in furtherance of his disinterested project. Out of this sum, L. 100 had that morning been given to him for his own private uses; a gift, which he (Mr Pratt) trusted the meeting would sanction with their approbation, especially as the venerable individual in question must have incurred many extraordinary expences in the course of his long and tedious wanderings. He (Mr Pratt) was also happy to inform them, that a gentleman of the name of Clymer had presented the Archbishop with one of his Columbian printing presses. This present had excited the utmost gratitude in the mind of the Archbishop, and could not fail to excite strong feelings of admiration in the mind of every individual who heard of the circumstance. He, perhaps, ought to state to them, that the venerable character whom they were now assembled to meet, had come to this country without any letters of recommendation to any individual in it. He was indeed a Catholic; but he was glad to say a Catholic of such a description as would not object to the free circulation of the Bible among all ranks

and classes within his jurisdiction. It had, indeed, been said, that the Archbishop had privately communicated to some of his friends, his intention of not allowing the free promulgation of the Holy Bible; but he believed that he could refer to an honourable gentleman (Mr Lee) for a contradiction of that rumour. With regard to the other qualities of the Archbishop, he should leave his two friends, Mr Owen and Mr Lee, to explain them. They would tell the meeting how excellent the conduct of this individual had been whilst in their company, and how extensive were the stores of Oriental literature which he had displayed to them during the visit which they had made together to the University of Oxford. For his own part, he should conclude by moving for the appointment of a committee, to decide on what would be the most advisable method of disposing of the money, and to deliberate upon the means which ought to be adopted to maintain a correspondence in future with the Archbishop. —The Rev. Mr Owen then expressed his conviction of the virtue and integrity of the Archbishop, a conviction which was formed from an intimate acquaintance with him for some time past, and from certain traits of character which had escaped from him (the Archbishop) unintentionally and almost unobservedly during the journey which they had taken together. He could not help saying that his arrival in this country was not merely opportune, but was even providential. It had opened to us a means of communicating with our Christian brethren in Asia, and a means of instilling into the Mohammedan inhabitants of that country a knowledge of that light which leadeth to salvation. It had also settled a controversy which had ex-

isted between several learned men in this country, regarding the language into which it would be most expedient to translate the Scriptures, for the use and benefit of the Asiatic nations. Dr Macbride had proposed one language, and Mr Lee had proposed another; but the Archbishop had advised the use of the Taoushan, (Arabic in Syrian characters) as most likely to be generally understood. Mr Owen then entered into an account of the religious constitution of the Syro-Christian Church, and after some other observations on the necessity of affording every assistance within their power to the Archbishop, concluded his speech with predicting great advantages from the establishment of a constant channel of communication between the Christian Churches of Europe and Asia.—The Rev. Mr Lee (Professor of Arabic in the University of Cambridge) bore testimony to the astonishing acquaintance which the Archbishop had displayed with the stores of Oriental literature preserved in the Bodleian Library at Oxford; and argued that such extensive knowledge was a *prima facie* proof that the Archbishop actually was the person whom he stated himself to be. Mr Owen then proposed that the Archbishop should be invited to meet the Assembly. He hoped that the meeting would show as few marks of curiosity as possible on the entrance of the Archbishop, as the Archbishop had objected to the presence of females at this meeting, from a dread that he should be treated as a mere spectacle. The Archbishop had also expressed a wish that no mention should be made of the sums which were presented to him, “because,” said he, “if the Grand Turk knew that I had brought more than two shillings with

me from England, he would certainly massacre me on my return.” Mr Owen then left the room, and shortly afterwards returned accompanied by the Archbishop. On arriving at the Chairman’s seat, he bowed first to the Chair and then to the company, and seemed to feel some small degree of alarm and agitation. He was however encouraged by Mr Wilberforce and Mr Owen, and quickly regained his presence of mind, which for a moment appeared to have deserted him. He was dressed in the Oriental costume, his head was covered with a blue turban, and his body with a long and loose robe of dark blue cloth or serge. He seemed to be about forty years of age, though his beard, which is long and bushy, may probably make him look older than he really is. In spite, however, of all the peculiarities of his dress and manners, his appearance evidently made a favourable impression upon all the spectators in the room. After a short pause, the Chairman informed him (and Mr Owen conveyed the information to him in Italian) that assistance would gladly be afforded to him by the individuals whom he saw assembled before him. A smile of satisfaction immediately played upon his countenance, and he desired Mr Owen to acquaint the company, that as he could not address them in English, he would address them in another language, which he trusted Mr Owen would have the goodness to interpret to them. Mr Owen acquiescing in this proposal himself, and informing him that it was highly acceptable to the meeting, the Archbishop uttered a few sentences in Italian, expressive of the gratitude which he felt for the favours which they had bestowed upon him, and of the expectations,

which he enjoyed of great good arising from them to the cause of Christian virtue and piety. After this speech, which was received with considerable applause, a Committee was appointed for the purposes mentioned by the Rev. Josiah Pratt, and a liberal subscription immediately made to aid the design for which the meeting had assembled.

15. EXECUTION OF GEORGE WARDEN.—This day George Warden, late clerk in the Aberdeen Post-office, was executed, pursuant to a sentence of the High Court of Justiciary of the 12th of March last, for the crime of abstracting letters containing money from the mail-bags passing through the Post-office, Aberdeen. The circumstances under which this unfortunate young man was convicted excited an extraordinary degree of sympathy in his behalf, and many indulged hopes of a commutation of his sentence till the latest possible period. This general interest operated, probably along with a recollection of the unhappy circumstances attending the last spectacle of the kind in Edinburgh, to draw an immense multitude to the place of execution. The spot selected for this purpose was in the Lawnmarket. A drop was erected at the head of Libberton's Wynd, and the crowd extended in a compact body from the Weigh-house to the Cross, so that there could not be fewer than 20,000 spectators. At half-past two o'clock, the Magistrates, in their robes, went from the County Hall to the Lock-up house, where the prisoner was confined, and where the Rev. Mr Porteous, chaplain to the gaol, and the Rev. Dr Brunton of the Tron Church, were attending him. Mr Porteous then read a portion of the 51st psalm, which Warden joined in singing; and after a prayer by the same reve-

rend gentleman, the whole moved from the Lock-up house, through the lower part of the County buildings, to Libberton's wynd, from the top of which a stair led up to the scaffold, on which the prisoner appeared at a quarter before three o'clock, supported by the two clergymen, and attended by Bailies Anderson and Brown. Warden behaved throughout the remaining part of the tragical scene with becoming firmness; his countenance seemed to express pensive resignation to his fate, but exhibited no marks of terror or dismay. At his own request Dr Brunton read out the fifth hymn in the collection used in the Church of Scotland, which he joined in singing; and after an impressive prayer by the Reverend Doctor, Warden shook hands cordially with all around him, and walked up to the drop, assisted by Mr Porteous. The last shocking duty was then performed by the Glasgow executioner, and in a few minutes this unfortunate young man was launched into eternity. During the service the Reverend Doctor was more than once almost overcome by his feelings; and while he prayed, the majority of the crowd within hearing remained uncovered. Just before the drop fell, a circumstance occurred which excited considerable alarm among a portion of the crowd, but fortunately no serious result followed. When the executioner and his assistants descended from the drop, the unhappy sufferer fainted, and swung upon the rope, while the handkerchief, unperceived for an instant, fell from his hand. A loud cry of "Let down the drop!" issued from those close by; while others at a great distance, alarmed by the shout, ran with violence in different directions from the scene. In a moment, however, the drop fell; and in less than two minutes Warden's suf-

ferings were at an end. Warden was only twenty-one years of age, and previous to the commission of the crime for which he suffered, appears to have borne an unblemished character, and to have been much respected for his obliging attention to those who had business to transact with him. He has left a widowed mother and two sisters to lament his untimely fate, one of whom is fifteen and the other five years of age. The youngest one, with his mother, attended him in gaol these some weeks past, during which time he has maintained a most pious resignation. On Tuesday night, about ten o'clock, he took an affectionate farewell of them; and the scene, to use the expressions of the very humane governor of the gaol, was even more heart-rending than that of the execution. He embraced his little sister in his arms, kissed her repeatedly, and exhorted her, in terms suited to her capacity, to walk in the paths of virtue; and in taking farewell of his mother, he recommended his sisters strongly to her maternal care; entreating her even, he said, if she should beg for it, to endeavour to procure for them such instruction and education as might enable them to prosecute a reputable line of life. The anguish of the mother during this last interview will not admit of description.

On the same day, in presence of Bailie Smith and Dr Brunton, Warden emitted and signed the following declaration:—

“*Edinburgh, April 13. 1819.*”

“In order that the truth may hereafter be investigated, and that injustice may be prevented to the young men, clerks in the different post-offices, and that they may not be tempted by poverty, or the oppression of their superiors, to break their trust, and, like me, to expiate

their guilt on a gallows, I deem that it may be of use that I leave behind me on record a declaration of the truth as to the actual amount of my allowance from the post-office of Aberdeen, which was only L. 40. I am by no means actuated, in this my last declaration, by any feeling of malice or revenge against the person of Mr Dingwall; but I do so with the hope of saving others from being in any way under the necessity of committing a similar crime: because, had I been paid the salary allowed by Government, the temptation in my power would not have been availed of. At the same time, I return my most sincere thanks to the Clergymen and others, for their kindness in visiting me while under sentence; and, in justice, I cannot omit to mention the kind treatment I received from the Governor, Mr Sibbald, in making me as comfortable as my situation would admit of. I die in peace with all men, and in the humble hope of pardon from God for my sins and offences against the public.

(Signed) “GEORGE WARDEN.

“Robert Smith, Bailie.

“Alexander Brunton, Minister.

“P. S.—I have to contradict the printed poem that was sold through the city of Edinburgh, as it was never written by me. I also deny that ever I abstracted but L. 5 from letters coming through the post-office of Aberdeen.

“GEORGE WARDEN.”

Every precaution was taken to prevent the recurrence of the disgraceful scene so lately witnessed in Edinburgh. A considerable area in front of the drop was strongly staked in, and lined inside by a strong body of the police. The high constables were assembled in the aisle of the adjacent church; and in the County-Hall a bugleman of the 86th

was stationed, to sound an alarm to the garrison in case of necessity. But no feeling seemed to actuate the multitude assembled, but that of silent compassion for the unfortunate sufferer; and in a short time after the sentence of the law was carried into effect, the streets were quite clear.

21. VISIT OF THE EMPEROR OF AUSTRIA TO VESUVIUS.—The Emperor and Empress of Austria, accompanied by the Prince of Salerno, and the Princess Amelia of Saxony, ascended Vesuvius at eleven in the evening of this day; having for their guides the Duke de la Torre, and the Chevalier de Gimbernath, both well acquainted with the topography of the mountain. The imperial party rested for the night at a short distance from the crater to enjoy the brilliant spectacle of volcanic eruptions during the night, and to obtain a view of the magnificent scenery in the bay and gulph of Naples at sun-rise. In the morning they also visited an apparatus established by the Chevalier Gimbernath near the crater, which, by condensing the steam that issues from the mountain, produces clear and even salubrious water. This, however, soon became an unpleasant gratification of curiosity from the number of ignited stones, projected from the crater, which fell in great numbers around them. During the two hours they remained at the summit, Vesuvius displayed all its grandeur. Immense jets of flame, and volleys of red-hot stones, thrown to a prodigious elevation, accompanied with violent explosions, were repeated every ten minutes *“avec un éclat, dont les plus beaux bouquets d’artifice ne sauraient même donner une idée.”*

• This magnificent and somewhat terrific spectacle has in some measure indemnified the imperial party

for not having witnessed the current of lava, which, after flowing incessantly for a whole month, had only ceased a few days before their ascent.

23. PATENT COFFINS.—A curious and important case is now pending in the Ecclesiastical Court in Doctors’ Commons. In April 1818, Mr Edward Little Bridgman, of Goswell-street-road, obtained a patent for a newly invented wrought-iron coffin. The object of the patentee appears to have been twofold; first, to furnish a coffin of solid materials at a cheap price; and, secondly, to secure the corpse from being disinterred for the purpose of dissection. The patent coffin is manufactured for L.3, 10s., and is constructed upon such principles that it cannot be re-opened. In these coffins the patentee has buried upwards of a hundred persons in fifty-two places, principally in the metropolis. Some parishes at first refused to admit the coffin, considering that it was less liable to decay than coffins made of wood or lead; but at last they consented to receive it. The rector of one parish, however, (St Andrew, Holborn,) positively refused to bury a corpse contained in one of these coffins; and in consequence, the patentee, in the name of the husband of the deceased, applied to the Bishop of London, to request that his Lordship would direct the rector to perform the funeral service over the body. The Bishop replied, that he had heard of the case, and that the husband intended to bring it before the Ecclesiastical Court; he did not wish, therefore, to insist on the admission of these coffins. He conceived, that the best way of settling the matter for the present was, to convey the bodies for interment in coffins made of the usual materials, and leave the issue of the legal proceedings to determine whether iron cof-

finis should be received in future or not; or, his Lordship added, he would endeavour to prevail on the parish to waive their opposition in the present instance, on the patentee giving a promise to bring no more coffins of the same kind till the question was settled in Doctors' Commons. The patentee informed the Bishop, that it was impossible to put the body in any other coffin, as the one in which it was deposited could not be opened; and that he could not undertake, even if this coffin were received, not to bring any more, as he had just placed two other bodies in iron coffins in that parish. The husband then cited the Rector of St Andrew's into the Commons, to answer to certain interrogatories to be administered to him. The clergyman has entered his appearance, and the case will be decided in the course of the ensuing term.

25. ARRIVAL OF THE PERSIAN AMBASSADOR AND THE FAIR CIRCASSIAN. — About three this afternoon, his Majesty's schooner *Pioneer* arrived in Dover roads, and very shortly after the boat belonging to the Customs put off from her under a salute. She had on board the Persian Ambassador and suite, who, on landing, were greeted with another salute from the guns at the heights. As the schooner had been seen for some time before her arrival, there was an amazing concourse of people assembled on the beach; and the novel nature of the arrival of ten or a dozen persons habited in silks and turbans, with daggers and long beards, in no small degree attracted the attention of the inhabitants, whose curiosity had been raised to the highest pitch by the different accounts of the beauty of the fair Circassian; and had not a coach been provided at the water's edge, we much doubt if his Excellency and

suite would have reached the inn without considerable difficulty. The crowd followed to Wright's Hotel nearly as fast as the carriage, it being reported by some that the fair female was in a mask, under the habit of a male attendant, whilst others stated that she would not be landed till the middle of the night. In about half an hour, however, after the arrival of the first boat, a second boat came into the harbour, and landed the Circassian beauty. She was attended from the schooner by Lieutenant Graham, of the preventive service, and two black eunuchs. She was scarcely seen; for the instant she landed she was put into a coach, which conveyed her to the inn. She had on a hood, which covered the upper part of her head, and a large silk shawl screened the lower part of her face, across the nose, from observation; therefore her eyes, which are truly beautiful, and part of her forehead, were the only parts of her beauties that could be seen. She is of the middle stature, and appeared very interesting. Her look was languid from illness, arising from a rough passage. She was conducted to a bed-room on reaching the inn, but no one was allowed to attend her but the eunuchs.

NEWSTEAD ABBEY. — This stately and venerable pile, (recently purchased by Major Wildman for the sum of L.100,000), has been for nearly three centuries the abode of the ancient and noble house of Byron. It was granted at the dissolution of the monasteries by King Henry VIII. to Sir John Byron, one of the favourites of that monarch, and son of the brave Sir John who perished on the field of Bosworth. In the vault, under the magnificent chapel at Newstead, repose the mortal remains of several generations of this illustrious and "time-honoured race," whose descendant, gifted with the "most

splendid talents which can adorn any name, is now a self-exiled wanderer on a foreign shore, and thus voluntarily despoils himself and his posterity of the patrimony so dearly and so nobly purchased by the valour and virtue of his ancestors. Previous to the Noble Lord's departure from England, his extensive estates in Lancashire and Cheshire were brought to the hammer and sold. Horeston, in Derbyshire, now alone remains of all the vast possessions of this illustrious and once numerous family. It was conferred by William the Conqueror upon Hugues de Biron, one of the valiant adventurers who enlisted under his banner. It formerly boasted a strongly fortified castle, where Sir John de Biron, (better known in the old chronicles by the name of "John of Horeston,") maintained his court in a degree of feudal splendour not much inferior to that of his sovereign. Of the old castle, however, not a vestige now remains. The present young nobleman is not the first of his family who has attained literary celebrity. His aunt Isabella, Countess of Carlisle, possessed a fine taste for poetry, and was the authoress of "The Fairy's Answer," in reply to Mrs Greville's Ode to Indifference. Lord Byron is godson to his Royal Highness the Prince Regent, and grandson to the late Honourable Admiral Byron, with whose simple and affecting "Narrative" almost every body is acquainted. Should his Lordship die without male issue, the title and estate of Horeston, which are unalienable, will descend to his

cousin, George Anson Byron, a captain in the royal navy.

28. A shock of an earthquake has been felt in the neighbourhood of Rome, and has done considerable mischief. The famous cupola, called *Il Castello*, is now a heap of ruins; and the Church of the Minor Friars, of the Order of St Francis, of which it formed a part, rendered incapable of serving any longer as a place of worship. It is reported that the shock was felt along the whole coast of the Mediterranean, and that considerable damage has been done in many places. Fortunately no lives have been lost.

INDIAN ARMY. — A return of all the military forces, regular and irregular, serving in India at the date of the last dispatches, distinguishing the numbers of the King's forces from those of the Company, and the Europeans from the Natives :

REGULAR TROOPS.

King's—Cavalry,.....	4,692	
Infantry,.....	17,858	† 24,550
Company's—European		
artillery,....	4,583	
European		
infantry,...	3,120	7,703
Native cavalry,.....	11,011	
Native infantry,.....	132,815	
Native artillery, includ-		
ing gun Lascars at-		
tached to the Eu-		
ropean artillery,	8,759	152,585
Total regulars,.....		182,838

IRREGULAR TROOPS.

Native cavalry,	7,659	
Native infantry,	17,082	24,741
Invalids and pensioners,		5,875
Grand total,		213,454

* This number includes two regiments of light dragoons, embarked in February last for India, for the relief of other regiments on that station. The strength of the two regiments was 929 men.

† Four regiments of cavalry and two of infantry are under orders to return to Europe, consisting in whole of 4212 men.

MAY.

3. MUNGO PARK.—The death of this enterprising traveller is now placed beyond any doubt. Many accounts of it have been received, and although varying as to the circumstances attending it, yet all agreeing that it has taken place. One statement was given to Mr Bowdich, while on his mission to the King of the Ashantees, in 1817, by a Moor, who said that he was an eye-witness; and the same gentleman procured an Arabic manuscript declaratory of Mr Park's death. This manuscript has been deposited with the African Association, formed for the purpose of extending researches in that part of the world. Two translations have been made of this curious document; one by Mr Salamé, an Egyptian, who accompanied Viscount Exmouth in his attack on Algiers, as interpreter; and the other by Mr Jackson, formerly consul at one of the Barbary courts. The following is Mr Salamé's translation, from which, however, the one by Mr Jackson only differs in a trifling degree. The words in italics have been inserted by Mr. Salamé, in order to render the reading more perfect, and are not in the original.

A Literal Translation of a Declaration written in a corrupted Arabic, from the town of Yaud, in the interior of Africa.

"In the name of God, the merciful and the munificent. This declaration is issued from the town called Yaud, in the country of Kossa. We (the writer) do witness the following case (statement.) We never saw, nor heard of the sea (river), called Koodd; but, we sat to hear (under-

stood) the voice (report) of some persons, saying, 'We saw a ship, equal to her we never saw before; and the King of Yaud had sent plenty of every kind of food, with cows and sheep; there were two men, one woman, two male slaves, and two maids in the ship; the two white men were derived from the race (sect) of Nassri (Christ, or Christianity). The King of Yaud asked them to come out to him (to land); but they refused coming out (landing); and they went to the King of the country of Bassa, who is greater than the King of Yaud; and while they were sitting in the ship, and gaining a position (rounding) over the Cape of Koodd, and were in society with the people of the King of Bassa, the ship reached (struck) ahead of mountain, which took (destroyed) her away, and the men and women of Bassa all together, with every kind of arms (goods), and the ship could find no way to avoid the mountain; and the man who was in the ship killed his wife, and threw all his property into the sea (river), and then they threw themselves also, from fear. Afterwards they took one out of the water till the news reached the town of Kanji, the country of the King of Wawi; and the King of Wawi heard of it; he buried him in his earth (grave), and the other we have not seen; perhaps he is in the bottom of the water; and God knows best.' Authentic from the mouth of Sherif Abraham."—In addition to the foregoing, another corroboration has been obtained. Lieut-Col. Fitzclarence, when on his voyage down the Mediterranean on board the Tagus frigate, Capt. Dundas, with dispatches from the Marquis of Hastings, learnt from the Governor to the two sons of the Emperor of Morocco, who had been on a pilgrimage to Mecca, and were then returning home, that

he (Hadjee Talub) had been to Timbuctoo in 1807, and had heard of *two white men*, who came from the sea, having been near that place the year before, and that they sold beads, and had no money to purchase grain. This person added, that they went down the Nile to the eastward, and that general report stated that they *died of the climate*. There can be little doubt but the *two white men* here alluded to were Mr Park and his companion Lieut. Martyn, who were at Sansanding in November 1805, and could, in the following year, have been near Timbuctoo. Sansanding is the place from whence the last dispatches were dated, by Mr Park; and Amadi Fatouma, who was his guide afterwards, was sent to learn his fate, and returned with an account of Mr Park being drowned. The statement of this person was, however, of such a nature as to excite suspicions of its correctness: and hopes were entertained that Mr Park had not met with such an untimely fate. Fourteen years have now almost elapsed since the date of his last dispatches; a circumstance which is of itself sufficient to demonstrate, that he is to be added to the catalogue of those who have perished in their attempts to explore the interior of Africa.

4. COURT OF ASSIZES, PARIS. INVESTIGATION OF AN ATTEMPT TO ASSASSINATE THE DUKE OF WELLINGTON. — Accusation against Marie-André Cantillon, a jeweller, born at Paris, and residing at NO. 16, Rue de Dauphiné; also, against Joseph Stanislas Marinet, aged 49, without any occupation, born at Hortagne, department of Air, and residing at NO. 313, Rue St Honoré.

• About one o'clock on the morning of the 11th of February 1818, the Duke of Wellington was return-

ing in his carriage to his hotel in the Rue Champs Elysées. The carriage was driven by his coachman, Daniel Guiver; and Louis Penneux, his footman, was behind. At the moment when the carriage approached the hotel, the explosion of fire arms was heard, and the light was seen by the Duke, his coachman, and footman. The sentinels were at the door of the hotel when the report was heard. The Duke at first thought that the firing proceeded accidentally from the muskets of the sentinels; but when, on getting out of his carriage, the footman asked him, with great anxiety, if he was wounded, he could no longer doubt but that the firing of the pistol proceeded from malice, and was aimed at his carriage.

The Commissary of Police being informed of what passed, proceeded next day, at eleven o'clock, to the hotel of the Duke of Wellington, where he collected the following facts:—The coachman, Guiver, declared, that having turned from the Rue St Honoré into that of the Champs Elysées, and while in the front of the inn which faces the hotel of Abrantes, he perceived a man following the carriage, sometimes going quicker and sometimes slower; and that as Guiver was about to enter the hotel, he saw the same man pointing a pistol at the carriage, heard the explosion, and saw the fire. He added, that the man was only three or four paces from the carriage, but that the horses being frightened, he was obliged to direct all his attention to them, and was by that means prevented from seeing which way the man fled; but that he could perceive, so far as the darkness of the night would permit, that the person was dressed like a citizen, with dark-coloured clothes and a round hat, but that he could not re-

collect his height or his figure, or whether he had mustachios.

Denneux, the footman, stated, that as the carriage was entering the gate of the hotel, he saw the man suddenly raising his right hand on his left arm, and pointing the pistol at the carriage, which immediately went off, and that by the light of the fire he was able to observe the man, who appeared to be about five feet six inches high, and about thirty-six or thirty-eight years of age, that he was thin and brown, had mustachios, and wore a round hat. The rapid movement of the carriage, and a seat placed behind it, prevented this witness from immediately going in pursuit of the man, who ran away towards the Rue St Honoré; but he cried out to the guards, "Stop! stop!" but they were prevented from pursuing the man, in consequence of the carriage having just entered the gateway of the hotel.

Two persons, named Thomas Carter and William Morris, belonging to the Duke's household, were at an inn in the Rue de la Madelaine. When they heard the carriage returning, they left the inn in order to go to the hotel, and while proceeding along the Rue des Champ Elysées, on the left-hand side, they saw the flash, and heard the report of fire-arms; and immediately after saw a man running precipitately along the Rue Madelaine. Thomas Carter said to his companion, "I'll lay a wager that that man fired at the Duke's carriage;" but as they heard nobody call out, and being besides strangers, and fearing lest they should do any thing contrary to the usages of the country, they did not at the moment attempt to stop the man; but meeting with three soldiers, who were pursuing the assassin, William Morris joined them, and the assassin, who was a hundred paces in advance,

was soon out of sight. Morris supposed the man to be about five feet three inches high, with a dark coat and metal buttons, and a stick in his hand.

Next day, the *Juge d'Instruction* attended at the hotel of the Duke to take his deposition. The outside as well as the inside of the carriage was examined; but no trace of a ball could be discovered; and it was supposed the ball had passed through the two windows of the carriage, the glasses of which were down, and struck against the wall of the hotel de Clisson, which was opposite to that of the Duke; but no distinct mark of a ball could be discovered there.

It appeared from the examination taken after the 11th of February, that a report was spread at Cambray of the Duke of Wellington having been assassinated; and it was certain that the attempt was the result of a plot which had been formed a long time before. Colonel Burgh, Aide-de-Camp to the Duke, stated, that being at Cambray on the 15th of January 1818, he received a letter with the post-mark of Paris on it, and having no other signature than the letters F. G.; that in this letter it was announced that attempts were making against the life of the Duke of Wellington, and that a proposal had been made to the writer to enter into the plot, which he refused to comply with. Colonel Burgh immediately sent this letter to the Duke, who was then at the chateau de St Martin, near Cambray. The Duke disregarded this communication, and the letter was burnt or lost. On the 11th of February following, in the evening, an Italian named Ghirardi, who had formerly been servant to Colonel Burgh, and was then in the service of D. Los Rios, brother to the Spanish Ambassador, came to

Colonel Burgh, who was then in Paris, and told him he was the writer of the letter signed F. G. which had been sent to him to Cambray. Ghirardi was immediately summoned before the Judge of Instruction. He declared, that about the end of September 1817, or beginning of January 1818, while coming out of his father's house in the evening to purchase something, he was met by a person whom he had never seen before, and who said, "Is that you, Ghirardi?" On being answered in the affirmative, this unknown person said he had something to say to him, and desired he would follow him. Ghirardi refused. The stranger then entered into conversation with him; asked if he was satisfied with his place; and then declared he could furnish him with the means of living without any place. After some further remarks, he said, "it was in contemplation to rid France of its most cruel enemy, the Duke of Wellington; and (continued he) if you will be of the party, I will give you money, and put you in a condition to quit service altogether." Saying this, he pulled out a green purse, which seemed to contain money. On Ghirardi refusing to enter into the plot or receive his money, the stranger observed, "You need not be afraid: the measures are so well taken, that there is no doubt of their success. If you wish to give me your address, I will inform you by letter of the day, the place and the hour when you must be in readiness; until that moment you shall not see me." An inquiry was made as to what could be the cause of this unknown person making such a proposal. It appeared that Ghirardi, who had been in the service of several French officers, particularly that of General Excelmans, before he lived with Colonel

Burgh or D. Los Rios, was often in the habit of holding conversations on political subjects with the other domestics in the last place, and that he expressed a great dislike at seeing the Duke of Wellington and the Army of Occupation in France. He acknowledged having said one day, that it would be a good thing to get rid of the Duke of Wellington and all the Allies; meaning thereby to say that he wished for their departure; and it was five or six days after this conversation that the proposal in question was made to him. It was after having heard of the attempt made to assassinate the Duke on the morning of the 11th of February, that Ghirardi determined on finding Colonel Burgh, to tell him he was the author of the letter signed F. G. Every effort was made, but without success, to enable Ghirardi to find out the person who had made the proposal to him. The researches of the police multiplied in all directions, and they discovered that about the 30th of January the affair had been confidentially disclosed to Lord Kinnaird, a Peer of Scotland, who was then at Brussels, and who communicated it to Sir George Murray, chief of the Duke of Wellington's staff, in a letter sent to him in Paris. In this letter he stated, that a French refugee, whom he had slightly known, had told him that three of his friends anxiously desired to return to France, and asked if it was possible to get the Duke of Wellington to intercede in their behalf. Lord Kinnaird said he thought the Duke could not do so. The Frenchman then asked if Lord Kinnaird thought the Duke would apply to M. De Cazes in their behalf, in case a plot, formed against his life, should be disclosed to him. Lord Kinnaird replied, that it would be very diffi-

cult to bring the Duke to pay any attention to threats of any attack personally directed against himself; and that, without producing good proofs, the plot would have the appearance of having been invented for the furtherance of some object. The man said he did not himself want to return to France, and that he was induced to make this disclosure on account of the horror he felt at the idea of assassination. He said the plot had been communicated to him by an officer on half-pay, who refused to be concerned in it; but that another had accepted an offer made to him. This Frenchman expressed a strong wish to Lord Kinnaird to be allowed to go to France, and disclose the affair to the Minister of Police, and point out the guilty person. Lord Kinnaird gave credit to the information of this person, and conceived it to be his duty to communicate the same to Colonel Burgh. After an answer given by Sir G. Murray, which was dated February 8th, and received by Lord Kinnaird on the 13th, the latter wrote another letter to Sir G. Murray, stating that he could not give up the name of the person who had made the disclosure to him; but represented that he should be allowed to go to Paris, and there point out the guilty person. Lord Kinnaird, without waiting for a passport for this man, whose name was Louis Joseph Stanislas Marinet, took him along with him from Brussels to Paris, where he arrived on the 20th of February. Marinet, on his first examination before the Judge of Instruction, was enveloped in mystery and concealment; and it was suspected that he was no stranger to the attempt of assassinating the Duke. It afterwards turned out that these suspicions were well founded, and that he had himself framed the whole plot. It was also

discovered by the police; and a man named Cantillon, formerly a military man, had, on the 13th of February, set out from Paris without a passport, and returned thither on the 2d of March, after making a fruitless attempt to enter Belgium, to which place he had, before that time, made several journies, and frequently saw Marinet. He was arrested on the 16th of March. Two processes were then entered on; one at Brussels, where the plot was formed; and the other at Paris, where it was attempted to be put in execution. The King's procurator divided his investigation of this business into three Epochs:—

First Epoch.—This relates to what passed at Brussels up to the time of the attempt to assassinate Marinet, who had been an advocate of Lyons and Dijon, was prosecuted for having assisted in the return of Napoleon to France, and was obliged to go into exile. On the 13th of December he was tried *par contumace*, and condemned to death. After residing in Switzerland and Italy, he returned to Brussels. Here he formed an acquaintance with an ex-Colonel named Brice, who had been condemned to death by the Royal Court of Nancy, as well as with several other French refugees, among whom were Deprez, an ex-Lieutenant-Colonel of France, Petit, formerly a Quarter-Master of Infantry, Sieur de Croquenbourg, the women Arnaud, Regnault de St Jean d'Angely, &c. It was in the house which they frequented that Marinet became acquainted with Lord Kinnaird, whom the depositions taken at Brussels represented as a person who held opinions contrary to the present system of France, as the enemy of the Duke of Wellington, as embarrassed with debts, and seeking by his intrigues to repair a deranged for-

tune. The political opinions of Marinét, his hatred towards the King and Lord Wellington, were the same as those attributed to the noble Lord with whom he formed an intimate connexion. In November 1817, Marinét was heard at a coffee-house to burst out into the most extravagant exclamations against Louis XVIII. and that upstart Wellington. Cantillon had been a servant with Brice, who was a Colonel in Bonaparte's Chasseurs on his return from Elba; and he afterwards became the servant of Marinét, with whom he was frequently seen walking and conversing in the most intimate manner. A person named Lamy, or Fabré, stated in the course of the examination, that a great intimacy existed between Marinét and Lord Kinnaird. Lamy deposed before the *Juge d'Instruction* at Paris, that towards the end of December 1817, he blamed Marinét for being too intimate with Lord Kinnaird; to which he replied, "Be not alarmed, he will not compromise me, he has made me acquainted with a project with which he has been a long time engaged, and of which you will soon hear him speak." Marinét denies this conversation, but Lamy, confronted with him, persists in it.

The *Second Epoch* details the proceedings at Brussels, but adds little to what has just been stated, except that Déprez was frequently seen in the company of Marinét at the Boule d'Or Inn.

Third Epoch. — Lord Kinnaird deposed before the *Juge d'Instruction*, that the informer, whom he declared to be called Marinét, and whom he had brought with him to Paris, asked him if he ever received an answer to the letter which he wrote to Col. Burgh, at the same time observing to him, that he had then resolved to engage Marinét to

come to Paris, or give up the name of the assassin. To this proposition Marinét answered, that he would not hesitate to go if his journey was only kept a secret, being unwilling to be called an informer in a country which was a place of refuge to him; adding further, that Paris was a fitter place, but deprecating publicity as a means of lessening the facilities for discovering the assassin. Lord Kinnaird further said, that Marinét hinted that there were engaged in the plot several persons of consideration, without naming their country, and that he had hopes of being able to discover the assassin in two or three days after he made this deposition, having seen him at Brussels and Anvers; but he knew not his name, though, with the help of some money, he should be able to make it out.

The character of Cantillon appeared upon inquiry to justify what had been said of him, he being found to be a person without fame or industry, and averse to labour. In 1800, whilst yet very young, he enlisted in a hussar regiment, and served up to 1809 in many actions, being wounded in several places. In that year he was draughted into a corps of gendarmerie in Spain; and in 1815 was dismissed with soldier's half-pay pittance of 150 francs. He again resumed the sword in the Hundred Days, and served in a regiment of Chasseurs, commanded by Colonel Brice, who has been mentioned. When the army was disbanded, he retired to his brother's house, a painter, in the street Aux Ours, where he remained about eighteen months. He then went to Coblenz and Cologne, and returned to Brussels; stopping there, however, only two days, he quitted that city for Paris on the 15th of August 1818. It was after this second return that he hired

the apartment in the Fauxbourg St Martin; but not finding any employment in the three or four months that he spent at Paris, he set out a second time for Brussels about the beginning of November. Cantillon says he again returned to Paris on the 6th or 8th of the following December, when he gave up his lodging in St Martin, and took one in the street Dauphiné, No. 46., and here he remained till the 1st of February, the very day he set out for Anvers. In this latter place the owners of the house knew him by no other name than Marie, by which he had hired it. It was soon after this second return he first became acquainted with Julie Fremont the mantua-maker, with whom he cohabited occasionally, at his own lodgings, and at her house Rue St Denis, 292. Leris, the keeper of the inn, in speaking of the conduct of Cantillon at Brussels, before the 8th of February, says, that he was never known to work at his trade; that his expenses were few, but that he frequently saw in his possession many pieces of gold of the value of 20 francs and upwards, and other considerable sums. It was at the house of this person that Cantillon lived in Brussels, during 1817. He also said that he had much consultation with an officer of the name of Cantillon, who has since departed for America. By the testimony of one of the witnesses, Cantillon was made to say, on the day of his departure from Brussels, when he appeared more than usually dejected, "I am going to either happiness or misfortune—you shall hear from me soon." These words Cantillon denied having ever used. On the 1st of February, Cantillon left Paris, in company with Julie Fremont, and appeared anxious to cross the river from the wood of Boulogne into Suresne. The water was then very

high, and he appeared disappointed at the obstinacy of the boatmen to let him pass, saying to his companion that he had urgent business to Suresne, where he expected to receive a large sum of money from one to whom he had been very useful. He went once again to Suresne, and returned without the money; and on the 11th of February, on his return from it, he said to Julie Fremont, "The B—— is gone, I must depart also." These words he avows, but tries to explain them, by saying he was otherwise at a loss for an excuse to make to her for returning without money. In effect, two days after this, namely, on February 13, he set out for Belgium, without having given any notice of his departure to Julie Fremont or his friend Dubarle. These frequent journies to Suresne explain the expressions in his letter to Alexander, where he said, "He had often gone for the sum of money which he expected." It is then in the declarations of Julie Fremont that new proofs are to be looked for, that Cantillon was paid for making the attempt on the night of the 10th or 11th of February 1818. He had said to her, on a former occasion, that he should one day be very happy; that a person at Suresne had given him eleven francs a-day; and in the month of January, at which time he had amassed together 300 francs, in showing which he asked her if he had prophesied falsely. At another time he expressed the hopes he had of one upon whom he counted much, as having done him many services; but when pressed by her to explain, he constantly eluded it by saying, "It is no matter." Again he said, if he chose to call for 2000 francs, more or less, they would be advanced without delay by his mysterious benefactor. After his last return to the capital up to the day

of his arrest, he never stirred out but once or twice, and that was by night; for when Julie Fremont visited him, she found him constantly in bed by day; and, on one occasion, he had recourse to the disguise of a female called Gelger. In the examinations great attention was paid to the manner in which Cantillon spent the night of the 10th of February. He himself affirmed that he passed it at the house of Fremont; and to give plausibility to this account, he endeavours to recall the minutest details of his conduct on the days preceding or immediately following the attempt, even up to Friday the 13th of February, when he left Paris for Brussels; but in his account of the principal facts, namely, his conduct from Tuesday evening to Wednesday morning, he is completely at variance with all the witnesses who have spoken to this period. He asserted that he passed the night of the 10th or 11th of February with Julie Fremont, and still insists upon it, though Julie Fremont herself, Eugenie Desfontaines, and other witnesses, who the following morning went into her room, positively swear that they found her alone in bed. Eugenie Desfontaines was a principal sempstress of Fremont's, and was the first in the morning to remark the absence of Cantillon; but Fremont said he had gone away the evening before, disappointed that she would not go and spend the night at his own house; that he had not slept with her, and she was not sorry for it. Cantillon did not come again to Julie Fremont's house, until Wednesday the 11th of February, between one and two in the afternoon. He related to her, as well as to Eugenie Desfontaines, what had happened in the street of the Champs Elysées, told what he had heard in passing through

this street; that great crowds of people were assembled in the street; and the Duke of Wellington was examining the walls in front of the Hotel de la Reynière, on which it was supposed the ball struck. He finished this recital of circumstances, which he said he had learned by accident, with these words, "It is not I—it is not I; it will never be said that it was I." Eugene Desfontaines says, that at one time he said, "If it had been I, I should not have missed." She reproached him with the folly of making a vindication of himself, before he was charged, in the manner of children. Cantillon did not then stop long, but informed her that he should return to Suresne to obtain some money of a person who had quitted Belgium. With regard to the plot, of which this criminal attempt was a manifestation, it was proved that Marinette, without doubt, hated the Duke of Wellington; that he made Cantillon his agent, and furnished him with money to pay his expenses at Paris and Brussels. There can be no doubt of Marinette being at the bottom of the plot, from the reluctance with which he now tears the veil which covers it, and from the circumstance of his having said to Lord Kinnaird, that if his answer was at all delayed it would be too late, which in fact it was, for the attempt had been made two days afterwards. As to Cantillon, his many journeys to Brussels without any reasonable purpose, the name which he assumed at Paris, his confidence in Julie Fremont, his journey to Suresne, his conduct after having committed the crime, his being unable to account for how he spent the night of the 10th or 11th of February, and the proof which came out on the inquiry, that notwithstanding his assertions, he had not passed the night where he said,

amount to strong presumption that he was the individual who was only to require 20 sous a-day to get rid of this modern Czerny George, and whom Marinet told Brice was at his disposal, and was the instrument made use of by Marinet. In consequence, Marie André Nicholas Cantillon stands accused of having, on the night of the 10th or 11th of February 1818, committed, with wilful premeditation, an attempt at murder upon the person of the Duke of Wellington; which attempt, manifested in exterior acts, and followed by an inception of execution, was suspended and failed of its effect from accidental causes, and independent of the will of Cantillon: And Louis Joseph Stanislas Marinet of being accessory to the crime, whether by provoking by gifts or caresses the said Cantillon to this action, or in giving him instructions to commit it. These crimes come under articles 2, 59, 60, and 302 of the Penal Code.

Done at the bar of the Royal Court of Paris, February 23. 1819.

(Signed) BELLART.

Some days after this act of accusation was brought forward, the above-named persons, Cantillon and Marinet, were put upon their trial, and received a verdict of unanimous acquittal.

8. UNIVERSITY OF EDINBURGH.—Nothing can more strikingly display the rising eminence of the University of Edinburgh, than the number of students who, during the session just terminated, have attended the different branches of instruction taught in this seminary: 1909 students entered their names in the book of matriculation; and if to this we add those who attended the Divinity Hall, including about thirty who have not matriculated, we find that upwards of 2150 students have attended College during the winter

session. This number exceeds all parallel in the annals of the Edinburgh University, and is not equalled either by Oxford or Cambridge.

12. The first Report of the Commissioners on the Education of the Poor has been printed. It consists of 261 folio pages, and includes 275 cases in London, Westminster, Southwark, Middlesex, Berkshire, Oxfordshire, Hertfordshire, Surrey, Sussex, and Kent. The cases, for the most part, from the extreme poverty of the foundations, are without interest. It rarely happens that schools which have considerable property are without special visitors; and it will be remembered that all such, by a clause introduced in the House of Lords, were exempted from inquiry. The Commissioners, however, have decided that the exemption did not extend to those instances where the visitors themselves had the administration of the funds. This decision brought the case of Tunbridge School under their review, which is indeed the most important one in their report. It seems the Skinners' Company are both the visitors of this school and the trustees of its estates; that they have regularly made all the fixed payments under the donor's grants, with some small increase, but that the whole *surplus* rent, amounting to several thousand pounds *per annum*, have been appropriated to the uses of the company. The Commissioners state, that the right of the company, to treat the surplus as their own, can only be solved by a judicial decision. Some documents are also published, from which it appeared, that they originally took the estates for the maintenance and benefit of the schools; and if this is proved, the public will be indebted to this inquiry for the creation of a new establishment, with advantages, in the school and at the Universities. equal,

if not superior, to any that are to be found in the greatest foundations in the kingdom.

17. DUELS AT GIBRALTAR.—It was lately mentioned that several duels had taken place between the officers of the 64th regiment, and the officers of the United States' squadron which had touched at Gibraltar. The following details of these affairs are copied from a respectable journal :— On Monday evening, the 22d of March, Mr Taylor, the Captain of an American merchant vessel, was returning to his lodgings from the theatre, at about half-past 11 o'clock, and when within four doors of his house was stopped by a sentry for not having a light: (it is the order of the Governor that no person shall walk without carrying a light after ten o'clock.) Captain Taylor, being detained about half an hour, became impatient, and ran towards the door of his lodgings, which was only ten yards distant. The door was fast, and the sentry seized him; and he was brought to the main-guard, when Captain Johnston, of the 64th, after hearing the sentry's story, which was somewhat embellished at the expense of the American, ordered Captain Taylor to be committed to the crib. After remaining some time, the American asked for pen, ink, and paper, which were refused. Several respectable merchants interfered, and Captain Taylor, being at last released, demanded Captain Johnston's address, which he declined giving, on the ground that he did not consider the American of sufficient rank to entitle him to a meeting. Captain Taylor waited two days endeavouring to obtain a meeting, when, being under a bond for 5,000 dollars to sail by a specific day, he was obliged to leave Gibraltar. A few days afterwards a frigate, a sloop, and a brig of war, belonging to the United

States, came down the Mediterranean. When the officers of this squadron had heard of the manner in which Captain Taylor had been treated, they drew lots which of them should fight Captain Johnston of the 64th, and it fell to the lot of Mr Bourne, who had a meeting, and was wounded, but not dangerously, in the groin. The matter, as far as Captain Taylor was concerned, would have rested here, but a new cause of offence occurred, which led to other duels. Mr Humphrys, first Lieutenant of the American frigate, was going off from the Ragged Staff, about ten o'clock, on the night of the 30th of March. He required the sergeant of the guard to lower the bridge, who said he would ask the officer's permission, (Ensign Nutt.) Mr Humphrys, in the mean time, remained at the outside of the door, and heard Mr Nutt say, "Send the Yankee in, and let us have a look at him." Of this Mr Humphrys took no notice, as it was not addressed to him. When he entered the guard-room, he found Mr Nutt stretched on the couch, and he said to the American officer, "So you want to go down." Mr Humphrys replied, "When a gentleman speaks to me, I wish him to address me on his legs;" when Mr Nutt immediately jumped up, and said, "By G—d, Sir, you are drunk;" which, of course, offended Mr Humphrys, and he asked him for his name, which Mr Nutt refused to give. Mr Humphrys then said, "that can be easily found; but as I am obliged to sail to-morrow morning for America, you shall hear from a friend of mine." The frigate *United States* accordingly sailed the following morning, and Mr Montgomery, the surgeon of the *Erie* sloop of war, with the Lieutenant of that vessel, went to Mr Nutt's quarters to demand an explanation, which he

would not give. He was then challenged by the surgeon, but he refused to accept. The Americans then went to the mess-room of the 64th to post Ensign Nutt. They were received by a number of the officers, who laughed at them, which so irritated the Americans that they offered to fight any officer of the 64th regiment. A dead silence ensued, and the Americans receiving no reply called the whole regiment a parcel of cowards: on which Captain Frith stepped forward for the honour of the regiment, and said, he would meet either of the Americans tomorrow morning on the neutral ground at five o'clock, which accordingly took place, and Captain Frith received Dr Montgomery's ball in the hip. The Governor of the Fort now ordered that no officer should go outside the barrier-gate; and Captain Ballard, of the *Erie*, ordered that no officer should leave the ship. But Mr Stockton, first Lieutenant, who was Mr Bourne's second, challenged Captain Johnston, of the 64th, for using some opprobrious language (after the duel) to Mr Bourne. They met on the rock at St Michael's Cave, and, after exchanging one shot without effect, they were interrupted by a party of soldiers sent to seize them. The *Erie* sailed over to Algaziras, where she remained for some days, and thus ended these unpleasant disputes.

20. REGENT'S LEVEE. — Yesterday the Prince Regent held a Levee at Carlton House, chiefly for the purpose of giving audience to the Persian Ambassador, and to receive the presents which had been sent for his Royal Highness's acceptance from the Sovereign of Persia. A detachment of Life Guards was stationed in front of Carlton House, and Pall Mall was lined with them. At the bottom of St James's Street,

opposite the Palace, the band of the Royal Horse Guards (blue) was stationed; and the line from St James's Street, through which the procession was to pass, was guarded by the whole of that corps in new uniforms. At two o'clock the cavalcade left the residence of the Persian Ambassador, and proceeded through Albemarle Street, Piccadilly, St James's Street, and Pall Mall, to Carlton House, preceded and followed by a body of Lancers and constables. On reaching the grand entrance his Highness was received by the Lords in waiting, and conducted, with the usual ceremonies, to the royal presence, when he tendered the presents from his Royal Master to the Prince Regent, which, as well as his Highness, were most graciously received. The approach of the Ambassador to the throne was quite after the eastern style of etiquette. His Excellency was dressed in a richly embroidered robe, his turban ornamented with jewels, and held in his hand a silver stick or staff. He leaned on the arm of Sir Robert Chester, being a little lame from a kick he lately received from one of his horses. On his approaching the person of the Regent, his Royal Highness descended from the step of the throne, and advancing two or three paces, received him with that dignity and affability of manner for which he is so eminently distinguished. The Ambassador then, in very good English, made a most appropriate speech, which was answered by the Prince Regent in terms calculated to gain his confidence and admiration. After much conversation, in which the Ambassador astonished his Royal Highness, and every one present, by the fluency with which he spoke our language, the Prince Regent and his Excellency went into the next apartment,

where the presents were laid out. They consisted of a gold enamelled looking glass, opening with a portrait of his Persian Majesty, the object of which was to exhibit, at one view, the portraits of two sovereigns; the one in painting, the other by reflection, and around which were poetical allusions; a gold enamelled box; a magnificent sword, celebrated in Persia for the exquisite temper of its blade, the sheath ornamented with emeralds, rubies, and diamonds; a string of pearls; carpets of Cashmere shawl, composed of four distinct pieces; (the principal carpet is in length 17 Persian yards, breadth nine yards, manufactured for the King of the Afghans, who sent them as a present to the Shah, and who, without hesitation, sent them, as the greatest rarity he possessed, to the Prince Regent;) two carpets of Herat; a large painting of his Persian Majesty; and ten magnificent Cashmere shawls, of various sizes and denominations: The Arabian horses brought by his Excellency to England as a present to the Prince Regent were drawn up in the court-yard.

SUITORS IN CHANCERY.—The following is a return of the total amount of the effects of the suitors in the High Court of Chancery, in the years 1756, 1766, 1776, 1786, 1796, 1806, 1816, and 1818, as laid before the House of Commons:—

In the year 1756, the total amount of the effects of the suitors in the High Court of Chancery was	-	L. 2,864,975	16	1
In the year 1766,	-	4,019,004	19	4
In the year 1776,	-	6,602,329		
In the year 1786,	-	8,848,535	7	11
In the year 1796,	-	14,550,397	2	0
In the year 1806,	-	21,922,754	12	8
In the year 1816,	-	31,953,890	9	5
In the year 1818,	-	33,534,520	0	10

It is curious to trace the increase of the above sums. In 1756, they were under three millions, and had

scarcely exceeded four millions at the end of ten years (1766). In the next ten, the increase was above two millions and a half (£776). In the next above two millions (1786). Thus in thirty years the total amount rose from L. 2,800,000 to L. 8,800,000. The increase in the next ten years, from 1786 to 1796, was nearly six millions. From 1796 to 1806, above seven millions. But from 1806 to 1816, above ten millions. The increase in the two years 1817 and 1818 is above one million and a half. The total amount is now above thirty-three millions and a half!

29. **BERLIN.**—In some diversions at the *Isle des Paons*, whither his Majesty had gone to dine *en famille*, the car in which his Majesty rode was overturned, and the inferior part of the bone of the nose seriously injured. This accident, more laughable than otherwise, has been recorded with great pomp of language and many dolorous lamentations in the Berlin papers, and has caused much mirth, and produced many pasquinades at Paris.

JUNE.

1. **EX-KING OF SWEDEN.**—The following letter, bearing the signature of this unfortunate Prince, appeared in one of the London daily prints:—
“Many journals having inserted articles concerning Prince Gustavus, son of Gustavus Adolphus the Fourth (Gustafsson), formerly King of Sweden, it is necessary to explain what has been said respecting this young Prince, and the public ought no longer to be ignorant of all the unlawful and unjustifiable transactions of the last three years. It is time to make known that secret intrigues were employed to separate the Prince,

from his father, to whom he owes not only the attachment and respect that nature inspires us with for our parents, but, moreover, a feeling of personal gratitude towards his father, who had made over to him a great part of the considerable property devolved on him from his mother of blessed memory, the defunct Queen of Sweden, and the remainder of which he divided among his other children. Prince Gustavus's father, who, in the year 1812, was separated from the Queen, his consort, gave her, as the mother of his children, the most unequivocal proof of his confidence, by trusting to her Majesty, not only the education of the Princesses, but that of Prince Gustavus also; however, under three conditions, viz. 1st, that their education should be conformable to the religion in which they were born; 2d, to the rank they hold in the world; and, 3d, to the duties they may one day be called upon to fulfil. The Queen afterwards received a new mark of confidence from her former consort, by his giving up to her the administration of the above-mentioned inheritance, relinquished in favour of his children, which was paid by the Swedish Government, and placed at the disposal of her Majesty. But from that moment she seemed resolved to act absolutely contrary to the tenor of the conditions prescribed to her, exactly in the same manner as her son, who, agreeably to such, was on his coming of age, (i. e. at seventeen), to present himself to his father, and concert with him as to his future destiny, but refused so doing at the time, declaring himself incapable; and rejected the importunities of his father, his friend and benefactor. Instigated by his royal mother, he persisted in disobeying the repeated orders of his sire, alleging as a reason that he had promised his mother,

upon his honour, not to leave her until he had attained his twenty-first year; a singular example of a young prince, who, refusing his majority, acts with the disobedience that a son might more readily do if he were of age. It would be revolting and contrary to nature, to charge this once so virtuous and so obedient son entirely with such an offence; it would be even unjust to say, before it could be evidently proved, that the Queen-mother of this prince had acted only from herself; yet it must be known, that she bestowed her confidence, and still more, committed the charge and education of her son, with which she alone was intrusted, into the hands of a Calvinist, of a republican, and stranger; who, moreover, possesses no acknowledged title that could distinguish or recommend him in any way for the situation of Prince Gustavus's governor. Let nobody allege the name of the famous Laharpe, on the side of that of the Emperor Alexander, to prove a paradox; for Laharpe was but Alexander's teacher, and not his governor. Let no one abuse any more the name of the Emperor Alexander, by representing it in family dissensions, as it cannot appear consonant with the dignity that characterises a great sovereign. It has been said in the *Gazettes* lately, that the Emperor of Russia had appointed Prince Gustavus Governor of one of his provinces; at another time, that he was going to England, with the Emperor's permission, to finish his studies, and to be allowed by him £2,000 Sterling for the expences of his removal, which would indicate that the Prince had not a sufficiency to provide for it himself. Let us, therefore, put a stop to so many weakly grounded novelties, and endeavour, at least, to develop the truth, and not believe it possible that the Emperor Alexander

would carry dissimulation so far as not to give any advice at all to Prince Gustavus's father of his good intentions towards his son, while he is in painful anxiety for the termination "of the same son's disobedience."

(Signed) "G. A. GUSTAFSSON."

"Basle, June 1. 1819."

5. LORD BYRON AND "THE VAMPIRE."—The following letter of the noble bard, disclaiming the authorship of "The Vampire," which had been fraudulently published in his name, appeared in Galignani's Messenger, an English daily paper published in Paris:—Sir; In various numbers of your journal, I have seen mentioned a work, entitled, "The Vampire," with the addition of my name as that of the author. I am not the author, and never heard of the work in question until now. In a more recent paper, I perceive a formal annunciation of "The Vampire," with the addition of an account of my "Residence in the island of Mitylene," an island which I have occasionally sailed by in the course of travelling, some years ago, through the Levant, and where I should have no objection to reside, but where I have never yet resided. Neither of these performances are mine; and I presume that it is neither unjust nor ungracious to request that you will favour me by contradicting the advertisement to which I allude. If the book is clever, it would be base to deprive the real writer, whoever he may be, of his honours; and if stupid, I desire the responsibility of nobody's dulness but my own. You will excuse the trouble I give you; the imputation is of no great importance, and as long as it was confined to surmises and reports, I should have received it as I have received many others—in silence. But the formality of a public advertisement

of a book I never wrote, and a residence where I never resided, is a little too much, particularly as I have no notion of the contents of the one, nor the incidents of the other. I have, besides, a personal dislike to "Vampires," and the little acquaintance I have with them would by no means induce me to divulge their secrets. You did me a much less injury by your paragraphs about "my devotion" and "abandonment of society for the sake of religion," which appeared in your Messenger during last Lent; all of which are not founded on fact; but you see I do not contradict them, because they are merely personal, whereas the others, in some degree, concern the reader. You will oblige me by complying with my request of contradiction; I assure you, that I know nothing of the work or works in question, and have the honour to be (as the correspondents to magazines say) "your constant reader," and very obedient humble servant,
Venice. "BYRON."

During the voyage of discovery last year to Baffin's Bay, a bottle was thrown into the sea from the Alexander, Lieutenant Parry, on the 24th of May, when that ship was off Cape Farewell. It contained the latitude and longitude the ship was then in. About two months since the bottle was found on the Island of Bartragh, in Killala-Bay, and an account of it forwarded to the Admiralty. It is supposed it must have floated at about the rate of eight miles per day across the Atlantic.

NAPLES.—Intelligence has just reached this place of a terrible eruption of Mount *Ætna*, which commenced on the first day of the present month. Catania, situated at the foot of the volcano, was several times in imminent danger of being once more destroyed. The torrent

of lava, however, did not fortunately descend so far as the lower regions of the chain of Mount Ætna; and it was hoped that it would not reach so far as to do any serious mischief. For the last seven years Ætna has been silent. It is somewhat remarkable that a strong eruption of Vesuvius took place at the same time.

7. General Savary, Duke of Rovigo, arrived in the river, off Gravesend, a few days ago, on board a merchant ship, from Smyrna, which place he was obliged to quit in consequence of a dispute he had with a French naval Lieutenant of the name of La Flotte. The vessel in which Savary arrived was immediately put under quarantine; and as it is necessary for the captains of vessels to send on shore the names of their foreign passengers, Savary sent an assumed name to the Alien-Office, at Gravesend. However, a day or two after, a friend of his informed Lord Sidmouth of the circumstance. No communication can of course be had with the vessel for the present, on account of the quarantine; but when that is taken off, it is the intention of Ministers to send him away again.

9. REMARKABLE INCIDENT.—On Tuesday the 18th ultimo, a little girl, about four years of age, the daughter of W. Telford, of Crossdale, situate at the head of Ennerdale Lake, accompanied her mother to the peat-moss, at the foot of what is called Great Banna Fell, and in the course of the afternoon rambled to the adjoining peat pots, where some of the neighbours were at work. The mother being one of the last at work, and not seeing the child, imagined one of the neighbours had taken it home. This not proving the case, an immediate search commenced, in which a great number of people as-

sisted. It was unavailingly continued through the four following days and nights. On Sunday, many more assembled; some of whom extending their search as far as Foultern Tarn, observed a clog-mark in a steep track seemingly accessible only to shepherds. As it was evident this could only be made by the little wanderer, an active search commenced in that direction, and on the eastern side of Herdis, in a place called Clea Gill, the little innocent was discovered with its head reclined on its arms. As not the most distant idea was entertained it could survive six days and five nights of incessant hunger and exposure on these bleak mountains, it occasioned no small consternation amongst those who first discovered it, when on calling out "it was found," it raised its head, and desired they would not hurt it. When found, its feet were partially covered with water, and much swollen. This was the only water, and consequently the only sustenance within its power to procure during the time it was missing. It instantly recognised its father, the neighbours, and even some of their dogs; and complained of hunger. Food being sparingly administered, it was taken home, and is now running about seemingly well. The place where it was found was much paddled, and it is conjectured it had wandered there on the night it was lost, as a small cavity where it was found, from which it could occasionally emerge, must, under Providence, "who tempers the wind to the shorn lamb," have been the means of its wonderful preservation; otherwise it seems impossible it could have survived the inclemency of the weather. Other accounts of this most extraordinary circumstance have also been given by persons whose veracity may be implicitly relied on, as well as details by per-

sons who assisted in the last and successful search. All these coincide with each other. One of these persons observes, "When we reflect on the difficulties this child had to encounter—without food, and without clothing to protect it from the inclement weather experienced (even at a season like this) in our Alpine regions,—rain, sleet, snow, (all of which fell during the interval,) we are lost in wonder and astonishment at the infant's miraculous preservation; and find it, altogether, a circumstance not to be accounted for in the ordinary way by which we are accustomed to judge of "causes and effects." William Telford, the father of Elizabeth Telford, (the subject of this paragraph,) had the misfortune to lose a daughter some time ago, who was accidentally scalded so as to occasion her death.

12. MYSTERIOUS OCCURRENCE IN THE BOROUGH.—On Saturday morning last, Mrs Kirby went to Mr King, one of the parish officers of Woolwich, (to which she belonged,) who gave her two shillings, and sent a letter to her husband, requesting him to bring his family down to the poor-house as soon as possible. Next morning (Sunday) they left their lodgings in Bull-court, and all, except one of the children, a girl nine years old, started for the avowed purpose of proceeding direct to Woolwich. However, about dusk the same evening, the man returned home, without either the woman or the children, and entered his lodgings as if he wished to escape observation; but near the door he was met by Mr Mooney, the landlord, who asked what had become of his wife and the children. After a pause he said, that he had stopped at a public-house on the road to have half a pint of porter, and that they had gone onwards towards Woolwich;

but as he could not afterwards come up with them, he did not think proper to follow them. Early on Monday Kirby went into the country to seek for employment, but returned in the course of the day, and in a conversation with a man in the house, expressed some fear of going to Woolwich, for, he said, they would certainly do something to him. On Tuesday he cut his throat. After he had been conveyed to St Thomas's Hospital, Kinsey, the constable went to Woolwich to see Mr King, from whom he learned that neither the woman nor the children had arrived there; and a person was immediately dispatched from Woolwich to bring the remaining child there to be taken care of. Mrs Kirby, at her departure, is supposed to have had about one shilling in her possession, a sum too little to take her and the children any distance; and not the slightest trace of her could be discovered up to four o'clock on Thursday. Kirby is in the hospital, and hopes are entertained of his recovery. He is silent generally with regard to his wife and children. Every exertion is making by the gentlemen of Woolwich, and others, to find them dead or alive.—But Mrs Kirby and her children some time afterwards, arrived at home, to the great satisfaction of the neighbourhood. It appears, that in consequence of a quarrel on the road, Kirby returned home, and she and the children pursued their way down the country to beg, but did not go to Woolwich, as was expected. The man is now nearly well; but he declares to the attendants, that the moment he gets away he will do for himself and all his family effectually.

SCIENTIFIC EXPEDITION.—A steam-boat is to be launched at Pittsburgh, to be employed in an expedition to the Yellow Stone Ri-

ver, the object of which is to obtain a history of the inhabitants, soil, minerals, and curiosities. Major Long, topographical engineer; Mr Graham of Virginia; Mr W. H. Swift of Massachusetts; Major Biddle of the Artillery; Dr. Jessup, mineralogist; Dr Say, botanist and geologist; Dr Baldwin, zoologist and physician; Mr Peale of Philadelphia, landscape painter and ornithologist; Mr Seymour, and Mr Fallow of the Indian Department, form the expedition. The boat is 75 feet in length, 13 on the beam, draws 19 inches of water, and is well armed. She carried on her flag a white man and an Indian shaking hands, the calumet of peace, and a sword. The expedition departs with the best wishes of the friends of science. •

14. MEETING ON HUNSLT MOOR. — Previous invitations for that purpose having been circulated through the manufacturing districts in Yorkshire, a most numerous assemblage of unemployed workmen met on this day on Hunslet Moor, near Leeds. A stage for the speakers had been previously erected, and several persons addressed the meeting. The great theme dwelt upon was the necessity of Parliamentary reform. It was near ten o'clock at night before the assemblage dispersed, after passing several resolutions as preliminary to a "Declaration to be signed by all who are determined not to become *passive slaves*," and to be transmitted to the Speaker of the House of Commons, "for the information of all whom it may concern." • A resolution was passed to meet again on the same moor on the following Monday.

17. The famous edition of Boccaccio, which, at the Duke of Roxburghe's sale, was bought by the present Duke of Marlborough for the

enormous sum of L.2260, was yesterday purchased by Messrs Longman at the far inferior price of 875 guineas. Mr Evans of Pall-Mall had in both instances the disposal of it.

MEETING OF WEAVERS AT GLASGOW. — Yesterday, at four o'clock, a meeting of the weavers took place in the Green, according to previous advertisement. The 40th regiment, some troops of cavalry, and the police, were in readiness to act. Fortunately their services were not required. The crowd was very large, and some persons suppose that the number might amount to 35,000. The Committee appeared on the platform at four o'clock, in the middle division of the High Green. About a quarter past four the business was begun by one of the Committee, who begged that the greatest order should be preserved; he read the requisition, and stated that several special constables were in the crowd, ready to seize any one who acted improperly, and he, for his own part, would be the first to point out and assist in securing any delinquent. A Chairman was then appointed, and a string of resolutions read to the meeting, pointing out their distressed situation, and praying that his Royal Highness the Prince Regent would be graciously pleased to grant such of them as wished it the means of reaching the colonies belonging to his Majesty in North America, together with the means of support for one year after their arrival; which sums they promised to repay by yearly remittances of produce. The meeting was then addressed by another person, who was a most determined enemy to the resolutions in favour of emigration. He contended that the low wages of the weavers did not arise from a superabundant supply of hands, nor from any want •

of internal resources, but from excessive taxation and misrepresentation in Parliament. He moved, as an amendment to the resolutions, that there should be annual parliaments, universal suffrage, and a diminution of taxation. The meeting was next addressed by a person who said he had come from a distance; that he had written his speech, as he had only lately escaped from the fangs of the tigers. He reprobated the first resolutions, and after abusing the manufacturers for taking an unfair profit, and thereby living luxuriously while the weavers felt such privations, he said that they might meet a thousand times and petition his Royal Highness every time, and yet he might never hear of it; therefore, they should go in a body to London and present the petition themselves. It was his opinion that the only persons who should emigrate to Canada were the boroughmongers, sinecurists, and 150,000 of the clergy. Several other speakers delivered their opinions; but some fellows near the hustings, who would not hear any thing in favour of emigration to the colonies, raised the cry for the amendment, and succeeded in carrying it, knocking down the hats and uplifted hands of their opponents, who were unwilling, from their love of peace, to resent it. The amendment was consequently carried.

MEETING AT ASHTON-UNDER-LINE.—In pursuance to public advertisement, a meeting of the inhabitants of Ashton-under-Line and its neighbourhood took place on Monday the 14th instant, at Hurst. The Rev. Joseph Harrison was called to the chair, who, after reading the requisition for the meeting, opened the business by apologising for the unprepared state in which he was to perform the important task which

had devolved upon him. He dwelt on the present distresses of the country, and the necessity of obtaining redress for all grievances. The time had now arrived when misguided opinions were about to be revived and acted upon in a shape that must ultimately render them triumphant over despotism. The hard earnings of the industrious, wrung from the sweat of their brows, had hitherto pampered the idle and the indolent; and the very panders of office, with morality on their lips and blasphemy in their hearts, with whips in their right hands and scorpions in their left, were the first to treat with contempt the supplications of a brave and long-suffering people. He concluded with a pathetic appeal respecting the deplorable condition of the labouring poor, and their half-starved and famishing progeny, and exhorted the people to the preservation of peace and good order. A letter from Joseph Johnson, Esq. Manchester, inclosing an address to the meeting, and the address itself, were then read. A deputation from the Stockport Union Rooms next read an address to the meeting, and proposed some resolutions, which were afterwards embodied amongst those adopted by the meeting. Mr Wright Smith then addressed the meeting, and expressed a strong hope that the borough tyrants would soon hear their infamy proclaimed even in their own tabernacle; and concluded by intimating that a meeting of the inhabitants of Stockport and its neighbourhood, having in view the attainment of the same laudable objects as the present meeting, would be held that day fortnight. Dr Healy called the attention of the meeting to the numerous struggles which the friends of freedom had made, and hitherto with no other effect than

that of adding new store to their already abundant stock of information. The people dispersed without any tumult.

MONOPOLY OF BIBLES.—A numerous and highly respectable Meeting of Booksellers and other traders was held on Wednesday evening at the Globe Tavern, Fleet Street, to receive the Report of the Committee, formed at a general meeting, held on the 22d of January last, for the purpose of inquiring what steps were necessary to be adopted, in consequence of the Universities of Cambridge and Oxford having instituted proceedings in Chancery against a number of individuals, for publishing certain editions of the Bible and Book of Common Prayer. The Committee were further appointed to inquire into the exclusive right which had been set up by the King's Printer and the two Universities, to the printing and publishing such works, and the prohibiting all other editions without their sanction. Mr R. Baldwin was in the chair. The Report of the Committee was read by the Secretary. It was divided into two heads. The first of these referred to the numerous suits which had been instituted by the King's printer or the Universities, against booksellers, pawnbrokers, and others, for the sale of Bibles, &c. In Chancery alone thirty-five suits had been instituted, and these at first being directed against the less opulent tradesmen, many were induced, by threats, to compromise the matter, and to pay sums of from L.30 to L.40, independently of expenses to the solicitors. But some individuals were frightened into much larger terms, and even the sum of L.500 had been demanded and paid. Those who had so compromised, in general, acceded to an unqualified admission of the patentees' right; while others, in many

instances, bound themselves by a solemn pledge not to dispose of any other editions of the sacred works mentioned than those sanctioned by the King's printer or the Universities. Those who had not entered into these treaties, and whose numbers were very considerable, had still hanging over them, *in terrorem*, injunctions in the Court of Chancery. The second head of the report embraced the researches of the committee as to the exclusive right assumed by the patentees. The licences, as they were traced to have existence, were those in the reigns of Henry VIII., Edward VI., 1529, and Elizabeth, when Richard Jugg, Fielding, Hill and others possessed them. These, however, were only known as the standard and uninterpolated editions, and intended only for the use of the episcopacy and churches. A monopoly, however, was attempted to be made of the publications; and, in the reign of Elizabeth, the Parliament was addressed on the subject; when her Majesty received an address, to which she returned a very gracious answer, thanking the house for reminding her of such matters, protesting against the monopoly, and adding, that there were to be found about the court, men who, by an assumption of right, were nothing more than "harpies and horseleeches," preying upon and sucking the vitals of public property. Some of the licences were then revoked. Neither the Universities nor King's Printer, therefore, had ever fairly established the right they claimed; and the former, on the contrary, having on two occasions referred to the celebrated Archbishop Laud for a confirmation of those rights, were answered by him, that it might be unwise to agitate the question, and advised them to remain content with things as they stood, and to let their rights "grow

strong, quietly, by time." With regard to the right assumed by the Universities, were it even just, it had been greatly abused: for they had each sold the privilege to private individuals, who had printed the books in question. It so happened, too, that whenever they were printed by private persons, the editions far exceeded in correctness and execution those of the patentees. It was admitted also by the Committee, that the question of privilege had been frequently contested in the courts of law; but that on such occasions the decision was invariably against the monopoly of the patentees. The case of the King's Printer in Ireland, *Grierson v. Jackson*, was a recent instance. The defendant had published a folio Bible with notes, and the plaintiff sought redress against the supposed infringement of his right in the Court of Chancery. Lord Chancellor Clare, however, peremptorily refused an injunction, upon the ground that it never could have been intended by the Monarchy to sanction a monopoly which could have the effect of limiting the knowledge of Christianity, and of intercepting the diffusion of moral and religious knowledge to the whole human race. The Report also remarked, that while injunctions had recently been taken against several respectable persons for publishing Bibles and Prayer-books, unsanctioned by the patentees, others had escaped. The learned and upright Justice Bayley had, in modern times, published many editions of a Book of Common Prayer; and his example had been followed by Messrs D'Oyley and others. No notice, however, was taken of these; and it was therefore but fair to ask, whether the right did not extend to all. Upon the whole, the Committee were decidedly of opinion, that there was no existence of an exclusive

right in the King's Printer or the Universities; and that it was vested only in the King, as head of the church, who sanctioned the distribution of correct standard editions of the Bible and Common Prayer among the episcopacy and in churches. The Report was often proposed to be agreed to.—Mr Mawman, agent for the sale of the University editions, lamented that the Report charged the Universities with arbitrary prosecutions. He was ready to declare that no such intention was indulged, that the bodies he defended were not conscious of the existence of such prosecutions, and that at the very moment when the meeting of the Booksellers took place in January last, the Syndicate was issuing orders to stay the proceedings. The Universities, he had no hesitation in saying, were ignorant of the extent to which, without their orders or advice, the proceedings had gone. Mr Offer, alluding to the editions of Bibles and Prayer-books published by the Universities, said it was notorious that those printed by private individuals were better executed, and more correct. He instanced the case of one of the University standard Prayer-books, which in the prayer of the High Court of Parliament, omitted the following striking and beautiful passage, "That peace and happiness, truth and justice, religion and piety may be established among us for all generations." An edition of the Bible, too, under the same high sanction, had put forth 12,000 copies, in all of which a blander was committed, by making a sudden stop in the midst of one of St. Paul's Epistles, and then going on with the 7th chapter of the book of Revelations. Another of these standard editions had called the Parable of the Vineyard, "the Parable of the Vinegar." And, again, a University

Prayer-book had, instead of "the world," promulgated this prayer, "O Lamb of God, who takest away the sins of 'the Lord'." Mr Maxwell said, that whatever they had heard from other quarters, the meeting should not be lulled into security until the injunctions were completely taken off. This had only been done in the case of Mr Blanchard, the Wesleyan publisher, who had circulated large numbers of Dr Coke's Bibles. Mr Offer said, that it struck him very forcibly that the injunction which had been dissolved as to Mr Blanchard, was done so under a conviction that that individual would be supported by the whole of the great body of Methodists to which he belonged, and who, as suffering Christians, would no doubt make a stand. United as the Meeting now was, with the assistance of other friends, they might also make a stand, and little doubt remained of success. Mr Harrison, (one of the deputation from the body of pawn-brokers who had been threatened with prosecutions,) bore testimony to the very handsome way in which he and his companions had been received at the Universities. The Vice-Chancellors assured him, in the most unequivocal terms, that no proceedings whatever had been instituted at their desire, and that such a course must have been adopted by the solicitors, not only without their concurrence, but even without their knowledge. What was his surprise, however, to find, in a few days after he returned to town, that the prosecutions were once more threatened by letters, and which subsequently were again and again renewed. Some of the members here inquired of Mr Harrison, whether, in any of his interviews with the Vice-Chancellors, any thing had passed which might elucidate their specific claims, and

to what limits, as to the publications in question? Mr Harrison, and another of the deputation, were not prepared to answer this. Their public conference they had already given to the Committee, but there certainly did take place some private conversation, which in honour they were bound not to disclose. They could assure the Meeting, however, that nothing had occurred to alter their feelings as to the conduct that had been pursued against the Booksellers as well as themselves. A liberal subscription was then entered into, and the Meeting broke up.

25. BOMBAY.—The whole district and country of Kutch have been just visited by the most terrible earthquake ever remembered in India. On the 16th of June, about seven in the evening, a shock was felt which continued for two or three minutes without intermission. In a moment the whole country of Luckput and Bunder-Butchao, with the towns and villages, presented a spectacle of ruins. The city and fort of Boojha, between which an English division was encamped, were overthrown, and several hundreds of inhabitants, who, through fear, weakness, age, or the desire to preserve a portion of their effects, did not betake themselves to immediate flight, perished. Those who escaped fled to the plains, or encamped on the adjacent hills. The scene that followed was dreadful beyond all description. The wretched inhabitants returned to explore the ruins of their dwellings, and to dig up the disfigured fragments of their wives, infants, or parents, amidst the putrid miasma that exhaled from the dead bodies both of human beings, and of the numerous animals destroyed by the falling of the buildings. The narrowness of the streets of Boojha has incredibly augmented the evil;

nor is it probable that it will ever recover the desolation with which it has been visited. A volcano having burst forth in a mountain about thirty miles distant, it is hoped that, in future, the country may be freed from the recurrence of such an unspeakable calamity. The shock was felt at the same instant at Isoria; the people believed themselves involved in midnight darkness; the ramparts of the fort trembled; the cannons tumbled from the top of the bastions, and several houses were overthrown. For the space of an hour universal consternation prevailed; but at length the shocks ceased, the minarets remained only half-overturned, and the bastions of Fort Lezardis were reduced nearly to ruins. The following day it was ascertained that large rents or gulleys had been made in the plain, some of them a hundred feet in depth, from which water issued in great abundance.

29. COLLEGE MUSEUM.—A few days ago, that accomplished and gallant officer, Colonel Straton, of the Enniskillen dragoons, presented to the Museum of the University, through Professor Playfair, an Egyptian mummy in a very high state of preservation. It was brought from Thebes by the Colonel himself, along with several other Egyptian remains, which he has also presented to the College. This mummy, to judge from its triple inclosure, rich and varied hieroglyphical ornaments, and situation when in Thebes, must be the body of a person of the highest rank, and which was probably consigned to the catacombs 3,000 years ago.

JULY.

1. RIOTS AT LIVERPOOL.—On Tuesday night, the 22d inst. a few minutes after six o'clock, an officer belonging to the Dock police met a man, named Murphy, at the Salt-house-dock with some ropes which he had stolen from a vessel. The constable asked where he had got them, and not being able to get a satisfactory account, he took the man into custody, and conveying him to Bridewell they met with another Irishman, named Peter Riley. Murphy told Riley that he was going to Bridewell, and asked the latter whether he would see a countryman of his taken to such a place. Riley then swore a terrible oath, and threatened the constable that if he did not let the prisoner go, he would knock his brains out. The constable refused, upon which Riley knocked him down by a violent blow on the neck; but another constable then came up and assisted to secure the prisoner. Several Irishmen, principally occupied about the Docks, then assembled, and threatened to murder the constables if the prisoner was not set at liberty; a body of constables, however, came up, and the prisoner was taken to Bridewell. Four of the constables afterwards went in search of Riley, and found him fighting with another man near the Old Dock-gates. As soon as the constables approached, two of them were knocked down by Riley, but they soon secured him, and he then called out to his companions to assist him. A numerous body of Irishmen immediately surrounded them, and endeavoured to rescue the prisoner. The constables pro-

duced their staves, and with some difficulty kept the mob back, but they were instantly covered by a shower of stones, though fortunately they were not much injured. After some time Riley was secured in Bridewell. Between eight and nine o'clock the same evening, two women were apprehended at the King's Dock, by two watchmen, and as they were coming through Darwen's-weint, they were overtaken by six or seven Irishmen, who called out, "Let them go, rescue them;" by which means they collected a large mob, and the watchmen were severely beaten; but, assistance being near at hand, the women were secured and taken to Bridewell, as were two of the men who had endeavoured to rescue the women. At this time there were from 8,000 to 10,000 people assembled round the Bridewell, among whom were several of the Irish recruits destined for South America, who threatened to pull down the building if the prisoners were not let out, and to murder all the constables. A fashionably dressed man, who was said to be one of the officers of the South American volunteers, was observed to be particularly active in the mob, and was heard to say, "This is no place for an Irishman to be in; for they have been doing nothing but getting drunk: and, my lads, we will have them out in five minutes." Several of the mob answered, "By J—s we will." The pavement was then pulled up, and with the stones, they broke down the yard door, with the frames of which and stones they demolished all the windows, and then began to work at the door into Bridewell, which was double-locked, with iron bars across, but which they very soon tore from the hinges. The officer then called out for the keeper of Bridewell, and at the same time a

messenger was dispatched to the Mayor with information of these riotous proceedings, and for the aid of the military. Some heavy threats were now made to murder the keeper and constables, if the prisoners were not immediately discharged; upon which the keeper thought it advisable to let two of the last prisoners out, whom the mob carried upon their shoulders through the streets about the Docks. At this period the Mayor with a party of soldiers arrived, and met the assembled multitude in Strand-street, who instantly began to disperse. Amongst those who were seen running was the officer before mentioned, whom a young man, who had noticed his activity at Bridewell, seized hold of, and two others; and they were given in charge to the military, who conveyed them and several others to the Exchange-bridewell. It was now between ten and eleven o'clock, after which time the mob gradually decreased, and peace for the night was restored. On Wednesday morning Mr Broadley, the Superintendent of the Dock Police, with four others, went to the South shore, (the place where the South American volunteers assembled to receive their orders) by order of Captain Boyd, one of their officers, to point out any of the ringleaders not yet taken. As soon as the constables made their appearance, the whole of the men armed themselves with large paving stones and pieces of copper dross, threatening to murder them if they did not turn back; and they immediately began to throw at the officers with such violence that the constables were obliged to take to their heels as fast as they could, and they were followed by the mob, who continued to throw missiles after them. Mr Broadley, in turning round, received a stone which frac-

tured his chin, and was struck in almost every part of his body with different stones. One of the constables had his head cut in a shocking manner; and another was knocked down, kicked, beaten with stones, and then jumped upon. The mob now continued their pursuit of Mr Broadley, who ran into a timber-yard near the Queen's-dock, and concealed himself in a saw-pit. He was followed into the yard by the mob, who, with dreadful oaths, threatened to murder him if they could find him; but fortunately he escaped their vigilance: after which, the crowd immediately dispersed. In consequence of these proceedings, the whole of the military in the town, as well as the Liverpool Light Horse, were on duty during the remainder of the day. Fortunately, however, there was no further occasion for their assistance. One of the men who had been active on the Wednesday morning in attacking Mr Broadley, was apprehended on Thursday, and fully identified. The officer was admitted to bail himself in L.200, and two sureties in L.100 each, for his appearance at the next Borough Sessions, to answer for the riot; and eleven persons were committed to gaol on the same charge, but of these only one belongs to the South American volunteers.

BIBLIOMANIA.—An unique copy of a tract, consisting of only five leaves from the White Knights' Library was lately knocked down, by Mr Evans, to Lord Spencer, for one hundred and twenty guineas. This pamphlet was first purchased by Mr Triphook for two pounds five shillings, and sold by him to the present Duke of Marlborough for fifty guineas. Its title, which bears no inconsiderable proportion to the whole contents, is as follows: "*Propositio Clarissimi Magistri Johannis Russell, decreto-*

rum doctoris ac adhuc Ambassiatoris Christianissimi Regis Eduardi, Dei gratia regis Anglie et Francie, ad illustrissimum principem Karolum ducem Burgundie super susceptione Ordinis Garterii, &c."—Without printer's name, date, or place, but printed by Caxton in 1469 or 1470.

2. MACGREGOR'S DEFEAT.—On the night of the 30th of April the Spanish forces from Panama, commanded by General Hore, marched to the neighbourhood of this city, (Porto-Bello,) and during the early part of the morning of the 1st of May assembled in the immediate vicinity, with an intent to commence an attack in conjunction with a division under the command of the General Santa Cruz, as preconcerted between them. The arrival of this division at the point of union did not take place so early as it was expected, and General Hore was in consequence about to withdraw from before the town, when the division appeared, and at six o'clock the united forces marched into the city without the least opposition. The Spanish forces took possession of all the different points at the same moment; and the independent troops, who were exercising in the square, were immediately attacked, and the greater part obliged to surrender. Colonel O'Hara was shot through the lungs in two places, in endeavouring to enter the fort, and taken prisoner; he died on the second day in the hospital. General Macgregor was in bed at the time of the attack, and to effect his escape jumped from the window into the street, ran to the water side, and swam off to the brig. Here Governor Lopez, who occupied a room next to Macgregor's, was killed in bed. Colonel Rafter, who, with a few followers, had retired to a fort near the beach, upon being attacked by the

Royalists, was obliged to surrender. The loss on the part of the independents has been about eighty killed and about fifty wounded. The Spaniards lost only four men, which may be attributed to Macgregor's being taken so completely by surprise, as there was not a single picket-post outside the town. Seventy-three officers were marched to Panama, and General Hore, having made arrangements for the disposition of his forces and security of the prisoners, returned to Panama, by the way of Chagres. The greatest attention was shown to the sick and wounded.

3. COURT OF SESSION.—On Tuesday Lord Cringletie, Lord Ordinary on the Bills, presented the Prince Regent's letter, appointing him one of the Judges of the Second Division of the Court of Session in room of the late Lord Reston. Alexander Maconochie, Esq. of Meadowbank, late Lord Advocate of Scotland, then presented the Prince Regent's letter, appointing him one of the Judges of the Court of Session, and who, as junior Judge, falls to succeed Lord Cringletie, as Lord Ordinary on the Bills. His Lordship then took the oaths and his seat in the Outer-House as Lord Probationer. The same day Sir William Rae of St Catharine's, Baronet, was sworn into the office of Lord Advocate of Scotland in the room of the Honourable Alexander Maconochie, appointed a Lord of Session, and one of the Lords Commissioners of Justiciary. The Right Honourable W. Dundas, who, in consequence of a reversionary appointment in 1806, succeeds the late Right Honourable R. Dundas, as Principal Keeper of the General Register of Sasines, &c. appeared in Court, and took the requisite oaths, on succeeding to that appointment.

THOMAS MOORE, Esq.—A serious

calamity has befallen Mr Moore, the celebrated author of "Lalla Rookh," in consequence of the misconduct of a deputy whom he has employed some years in his office at Bermuda, and who has embezzled a considerable sum of money (L. 6,000 it is said.) The cause has been decided in the Cockpit before the Lords of Appeal; and Mr Moore being deemed legally responsible by their Lordships, an attachment was decreed against his person. This office, which was conferred on Mr Moore by Lord Moira in 1803, has no salary annexed to it. The trifling emoluments arise from casual fees, which, in the course of the fifteen years that he has held the office, have not amounted to one-fifth of the sum for which the defalcation of his deputy has made him answerable.

6. MELANCHOLY DEATH OF MADAME BLANCHARD THE AERONAUT. — A melancholy event terminated in a deplorable manner the fête given this evening at Tivoli. Madame Blanchard, who ascended amidst the plaudits of an immense concourse of spectators, was precipitated from a great height in the air, and fell upon a house in the Rue de Provence, NO. 16, of which she forced in part of the roof. Her body was brought lifeless to the spot from which she ascended. It is easy to imagine the shock which this terrible catastrophe gave to the spectators. Several females fainted, and every one withdrew without waiting the conclusion of the fête. It is supposed that the fire-works, which came in contact with the trees as the balloon ascended, had got deranged, and that the rockets, having by this accident changed their direction, set fire to the balloon. Madame Blanchard was performing her 67th ascent, when she met her melancholy fate. She was about forty-five years of age, and has left no children or known

relatives. A subscription was however made at the gate of Tivoli in behalf of the heirs of the unfortunate sufferer, and every one hastened to deposit his offering: it amounted to about 2,400 francs.—M. Blanchard, the husband of Madame Blanchard, was the first who constructed parachutes, and annexed them to balloons for the purpose of escape in case of accident. During an excursion which he undertook from Lisle about the end of August 1785, when this adventurous aeronaut travelled without halting a distance of 300 miles, he let down a dog from a vast height in the basket of a parachute, and the poor animal falling gently through the air reached the ground unhurt. Since that period the practice and management of the parachute have been carried much further by other aerial travellers, and particularly by M. Garnerin, who has dared repeatedly to descend from the region of the clouds with that very slender machine. This ingenious and spirited Frenchman visited London during the short peace of 1802, and made two fine ascents with his balloon, in the second of which he threw himself from an amazing elevation with a parachute. It descended for some seconds with an accelerating velocity, till it began to vibrate extremely, and took such wide oscillations that the basket or car was at times thrown almost into an horizontal position. It passed over Mary-la-bonne and Somers Town, and almost grazed the houses of St Pancras. At last it fortunately struck the ground in a neighbouring field; but so violent was the shock as to throw poor Garnerin on his face, by which accident he received some cuts, and bled considerably. He seemed to be much agitated, and trembled exceedingly at the moment he was released from the car. One of the stays of the

parachute had chanced to give way (as was most likely the case with Madame Blanchard;) which untoward circumstance deranged the apparatus, disturbed its proper balance, and threatened the adventurer during the whole of his descent with immediate destruction. The feeling of such extreme peril was too much for human nature to bear. The catastrophe of Madame Blanchard bears a near resemblance to that which befel Pilatre de Rozier and Romain in 1785. From some vague idea of being better able to regulate the ascent of the balloon, they had incautiously suspended below it a small smoke one of ten feet diameter; a combination to which may be imputed the disastrous issue. Scarcely a quarter of an hour had elapsed after their ascension, when the whole apparatus, at the height of about 3000 feet, was observed to be on fire, and its scattered fragments, with the unfortunate voyagers, were precipitated to the ground. They fell near the sea shore, about four miles from Boulogne, and were instantly killed by the tremendous shock, their bodies being found dreadfully mangled. The only other fatal accident with balloons which we at present recollect, happened in Italy several years after the loss of Rozier and Romain, when a Venetian nobleman and his lady, after having performed successfully various ascents, fell from a vast height and perished on the spot.

RADICAL MEETING AT STOCKPORT.—A meeting of reformers took place in this town yesterday, pursuant to a notice, which had been sent to the various Union Societies, and was signed by several names. About one o'clock Knight, Fitton, Ogden, Harrison of Stockport, (styled the Reverend,) Willan of Dewsbury, who presided at the first Hunslet-moor meeting, near Leeds, and several o-

thens, ascended a stage made of two carts. Harrison then read a letter from Bagueley, addressed to the meeting, dated Chester Castle, in which it was argued "that the Deity created man for happiness, and a sufficiency of good things to make all men happy: but that the majority of that meeting being miserable in the highest degree, the intentions of the Deity had been frustrated by their rulers: that when a Government was guilty of destroying or diminishing the happiness of the people, such Government acted in direct opposition to the will of Heaven, and rebellion against it was an imperative duty!" The writer then proceeded to apply these doctrines. A little before this, the word "Spy" was buzzed about, and immediately followed by a tremendous blow inflicted on a man by a reformer, who went behind him for that purpose, with a large stick. He was in the act of repeating the blow, holding his weapon with both hands; when the bystanders told him 'it was quite unnecessary, for his victim was already dead. The unfortunate man was carried off the ground in a state of total insensibility, and medical aid obtained. The arrival of the Chairman for the day, Sir Charles Wolseley, Bart. of an ancient house in Staffordshire, now put business into a more regular train. The Baronet addressed the people, whose numbers were not less than 12,000, by informing them "that he was no orator, but a staunch reformer, and a zealous determined advocate of annual Parliaments and universal suffrage. As to another class of persons, spies and informers, let them set down all, nay more than he said; he despised them; but let them tell the Sidmouths, the Castle-reaghs, and the other monsters who employed them, that he execrated and abhorred them and their pro-

ceedings." Several resolutions were afterwards put, and carried by acclamation. In moving and seconding the resolutions, several long and very inflammatory speeches were made. Mr Fitton, of Royston, made a long harangue on the progress of reform; and Willan propounded the doctrine of active resistance to the Government; recommending to the people "to apply the four-sheaved block of liberty, equality, annual parliaments, and universal suffrage, and he had no doubt they would tear the vast fabric of tyranny and superstition from its base; that the strain would be tremendous; yet feeble as he was, he would willingly lend a hand to effect it." The person in sailor's clothes who spoke at the late meeting in St Peter's Fields, (Manchester), desired the people to be firm and courageous; and alluding to the panic which seized the meeting at Manchester, said, "such conduct would not do when they met at Oldham; each man must boldly lay hold of the rope, and he had no doubt they should speedily capsize Commodore Sidmouth and his crew."—The meeting concluded with thanks to the Chairman; and the principal speakers proposed votes of thanks to each other. In returning his acknowledgments for the honour done to him, Sir Charles Wolseley swore to be "faithful to the cause, so long as his heart's blood should flow from his heart." He stated, "that his political career commenced in France: that he was one of those who mounted the ramparts of the Bastille at the commencement of the revolution in that country: and if he did that for France, he should never shrink from attacking the Bastiles of his own country." A resolution was proposed by Harrison, and carried, stating, "that as the ministers had procured a bill of indemnity to be pass-

ed, to screen them from the consequences of their late illegal acts, this meeting do indemnify all the speakers who have addressed it, in case any thing seditious has been said by them."—The Cap of Liberty, on the top of a flag-staff, was displayed on the hustings.

8. SLAVERY IN THE UNITED STATES.—The whole number of slaves in all the States of the Union was, as appears by the census of each of the following years,

In 1790	In 1800	In 1810
694,280	889,881	1,165,441
Increase in 10 yrs., from 1790 to 1800, 203,624		
Increase in 10 yrs., from 1800 to 1810, 251,875		
Increase in 20 yrs., from 1790 to 1810, 481,160		

The slave population from 1790 to 1800 increased 14-81 per centum; from 1800 to 1810, 35-84; and from 1790 to 1810, 70-75 per centum: the ratio of increase, it will be observed, is augmenting, the first ten years being under 2½ per centum, and the latter ten years upwards of 3½ per centum per annum. The number of free persons in the United States, according to official returns, were, in

1790 .	3,190,455	|	1800 .	4,356,032—
1810 .	5,947,678,	"	and all other persons except Indians not taxed,"	
1790.	59,120	|	1800.	108,607
		|	1810.	181,924

From these facts, principally extracted from *Seybert's Statistics*, it appears that in the year 1810, when the last census was taken, nearly 1-6th part of the whole population were slaves! They were at that time divided among the states as follows, viz.—

Rhode Island	198
Connecticut	310
New York	15,017
New Jersey	10,851
Pennsylvania	795
Delaware	4,177
Maryland	111,502
Virginia	392,518
North Carolina	168,824
South Carolina	196,365
Georgia	105,218
Kentucky	80,561

Tennessee	44,535
Louisiana	94,660

Total	1,165,441
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New Hampshire, Massachusetts, Vermont, and Ohio, are already fortunately exempted from the presence of this great moral and political evil. Pennsylvania and New York will likewise soon take their station in the same rank, having made the requisite legislative provision. If the attempt now making in Ohio to introduce it there should succeed, humanity would truly have cause to mourn. The increase in number, since the year 1810, is probably \$00,000.

THE COMET.—This comet was seen at Paris on Saturday night the 3d inst. (the same night on which it was first seen in London), and proves to be the same that was seen at Marseilles last year. In referring to it, the Paris papers ascribe the discovery last year to M. Pons. The following notice of this phenomenon is translated from the *Gazette de France*, of the 4th instant:—The comet lately discovered by M. Pons, at the Observatory of Marseilles, was visible last night at Paris. During the whole evening a great number of persons were assembled upon the bridges and quays to examine it. It is in the constellation of Leo. The luminous point is not very distinct, but its train is long. As this comet is not doubted to be the same whose orbit was calculated by M. Nicollet last year, his calculations become now more interesting. According to his calculations, it passed its point nearest to the sun on the 3d of March last year, at 15 minutes past 11. Its perihelion distance is equal to 1.12567 (a little more than 1½); that of the earth to the sun being taken as unity—

Inclination of its orbit to the ecliptic,..... 88 deg. 36 min.

Longitude of the ascending
node,.....68 deg. 5 min.
Longitude of perihelion, cal-
culated by the orbit,.....187 deg. 32 min.
Its heliocentric movement direct.

The following are some correct observations upon this heavenly phenomenon, taken at Greenwich :—The comet passed the meridian below the pole, at the Royal Observatory, on Saturday, July 3., about midnight, when its place was thus determined :
Apparent right ascension, 6 h. 51 min. 36 sec.
North polar distance cor-
rected for refraction, 46 deg. 18 min. 47 sec.
Mean time of observa-
tion,.....12 h. 6 min. 56 sec.

The comet was again observed on Monday night (July 8.), but not till it had passed the meridian, when the following observation was made :
Apparent right ascension, 7 h. 0 min. 9 sec.
North polar distance, 43 deg. 34 min. 48 sec.
Mean time of observa-
tion,.....12 h. 36 min. 4 sec.

10. SUTHERLAND HIGHLANDERS.

—We copy from the letter of a tourist, an extract, which, if it had appeared in a romance or other fictitious performance, would have excited the strongest feelings of commiseration for the unfortunate sufferers. A system which requires such frightful sacrifices before it can be carried into effect, ought to “give us pause” before we apply to it the abstract rules of economical science, in which no allowance whatever is made for the feelings and sufferings of human beings, but, on the contrary, every thing is estimated by its relation to capital, to supply and demand, the profits of stock, and other principles, correct enough perhaps in theory, but, in this instance at least, carried into effect amidst the curses and the miseries of so many helpless and expatriated Highlanders.—“Coming on my way from Brora to Port Gerver, in Sutherland, I was much shocked with the appearance of late fires in every cottage

on the road. Every roof was stripped in the township of Kintredual. This is part of the immense property of the Countess of Sutherland, now Marchioness of Stafford, and had just been newly leased to a Mr Reid, formerly one of Sir John Sinclair's shepherds, for a sheep farm; so, in order to give him entire possession, 300 cottages were burnt, and at least 3000 poor creatures turned out of doors to make room for as many sheep. A Mr Gordon and a Mr Mackay, farmers in the neighbourhood, humanely came forward, and offered them all settlements on their farms. This same thing occurred a few years back at a place called Kildonan. The Earl of Selkirk happened then to be in that part of the country, and transported the outcasts all to his colony at Red river. “This is more barbarous than any thing I ever heard of in Ireland or any where else. I met with one old man and his family, who told me his family had lived there quietly for four generations, always paid their rents punctually, and offered to double the amount if they (the factors) would only permit them to stay. From the change of system lately adopted on the extensive estate of the Marquis and Marchioness of Stafford in the county, great numbers are emigrating to America; and among them are — and —, who, with their families, and many more of their neighbours, are embarked at Cromarty for Pictou. As the present plan is to put all the estate (except a few spots on the sea side) under sheep, and that too as quickly as possible, a vast number are removed this year. Such as can afford to pay their passage go to America; others shift for themselves as they can; but many, very many of them will remain (from inability to do otherwise) to starve in

the country without house or home. Such is the present state of this remote corner of the country." The following particulars are derived from another source: "It is said that a posse of men (with legal warrants be it observed) are parading the county of Sutherland, and *ejecting* the poor Highlanders from the homes of their fathers. A valuation is put upon their property; a proportion of the expense is retained, the balance is paid over to the occupier; and his humble dwelling, in which perhaps he was born himself, in which he has gone through the various stages of life, and which is endeared to him by a thousand ties and circumstances, *is set fire to and consumed to ashes*, before the eyes of himself, his wife, and helpless family. One hundred families, it is said, have shared this fate within the last fortnight, and 500 within a short period. Families are thus compelled to crowd together in miserable out-cots, or to prepare their scanty meals at the roots of trees; and the county, especially the parishes of Far, Kildonan, Clyne, Golspic, and Rogart, is beginning to wear a depopulated ruinous aspect. Such is a specimen of the information sent us; but we are inclined to think that there must be some exaggeration, and that the facts, if they be facts, are susceptible of explanation. The writer seems to admit, that allotments of ground were made for these small tenants (who are said to have offered more for their farms than the highest rents that could otherwise be got for them); but this, it is added, was on the cold barren north coast, the soil of which can be turned to no account. For the honour of the Stafford family, we should be glad to have this matter cleared up; for we have been assured, that thousands of the Sutherland Highlanders entered the army in

the course of the late war, from devoted attachment to their Countess." We are indebted for the following remarks to a highly respectable Edinburgh journal. In economical science different writers may, and do, entertain different, and promulgate very opposite doctrines; but there seems to be but one opinion as to the summary mode of ejectment introduced into Sutherlandshire under the *humane* patronage of Lady Stafford: "We have already adverted to the miserable condition of those poor Highlanders who have been violently ejected from their farms in the county of Sutherland by the agents of Lady Stafford. The subject is now forcing itself on the attention of the public. The tenants have formed themselves into an association, for the purpose of facilitating their emigration to America, and we are happy to have to state, that Mr McLeod of Cadboll, M. P., and several other gentlemen of great respectability, have consented to superintend its proceedings, and to render all the assistance in their power to the unhappy outcasts. We are greatly afraid, however, considering the poverty of the Highlanders, that this society will be unable to afford any effectual relief to the multitude who are now applying to it for assistance; and we trust, therefore, that government will interfere and place a few thousand pounds at the disposal of the society, under the express stipulation that it shall be entirely appropriated to the defraying of the charges attending the emigration of those who are destitute of the means of transporting themselves to another country. We are quite certain that Ministers could not possibly expend £20,000 or £30,000 in a way that would redound more to their own credit and the public advantage, than in providing transports to carry

those poor families who are now wandering about Sutherland, destitute alike of habitation and of the most indispensable necessities, to a country which is not overstocked with inhabitants, where their simple and industrious habits would be prized as they ought to be; and where their labour would yield an ample and independent subsistence. But, whatever measures may be adopted, it is essential that no time should be lost in carrying them into effect. Unless some provision be made for the emigration or the support of the poor tenants, previous to the setting in of the winter, it is altogether impossible that they should escape falling a sacrifice to its rigours. In order to prevent misconception, we think it right to state, that however much we may deprecate the unfeeling and barbarous manner in which the agents of Lady Stafford have proceeded to free her estates of their surplus population, we are clearly of opinion, that the conversion of the Highlands to the purposes of pasturage will be a decided improvement. It is, however, the implied and obvious, if not the prescribed, duty of a landlord, in changing the management of an estate, to bring the change gradually about, and with reference to the circumstances of the existing tenantry. Had Lady Stafford provided, as she might easily have done, vessels to carry the expatriated tenants to America, and accommodated the poorer class with a small supply of money, it would have been impossible to have found the least fault with her conduct. We hold no opinion in common with those who blame her Ladyship for turning her estate into sheep-walks. On the contrary, we think that every Highland proprietor who has done so has really conferred a benefit on the coun-

try; but it is impossible to vindicate her from the charge of having suddenly deprived a helpless peasantry of their accustomed means of subsistence, and of having left those who looked up to her as their protectress, to struggle with the extremes of poverty and famine." Extract of a letter dated 24th June 1819: "On the first burning expedition of the official persons, they refrained setting fire to a house, I think, in the parish of Kildonan, in which a woman lay who was about to be delivered. She was safely delivered. But the houses burning around her, and the certainty of her family being removed, and the noise and lamentation attending such dreadful work, caused delirium, of which she died. Farther, I can scarcely credit, and God grant that it may not be true, yet it was certified in my presence by a number of these tenants, decent looking men, that, on the second expedition of the officers, which happened immediately after this woman's death, they set fire to the house, scarcely giving the relations time to remove the body. A noble little fellow who had been a sergeant, and who had lost a leg at Waterloo, expressed himself at a late meeting of the tenants in an admirable manner. He said he had only L.40 a-year, but that *that*, holding out his wooden member, had made him independent of the vengeance of Lady Stafford, and he would subscribe at least L.5 to assist his oppressed countrymen."

13. CONVENTION OF ROYAL BURGHS.—This day the Convention met, and, after the usual forms, proceeded to business, which, however, was generally of an uninteresting character. On the following day, the Provost of Perth brought forward a motion which excited some

surprise and considerable mirth; it was for nothing less than abolishing for ever the Convention itself, which the worthy magistrate described as an oppressive meeting; declaring, at the same time, that the missive dues exacted from the burghs was a burden which they could very ill bear, and that even Perth found them to be a great grievance. This radical motion not being seconded or supported, died in the very birth; or, to use the words of a reporter, "was disposed of in contemptuous silence."

RETURN OF SIR C. WOLSELEY, BART., M. P. FOR BIRMINGHAM.—Yesterday a public meeting of this town was held on New Hallhill, and from the extent of the crowd, which completely filled the area of 120 yards by about 65, not less than 50,000 people were present. A platform was erected in the centre. Mr Edmonds (schoolmaster) took the chair, and read a letter from Sir Charles Wolseley, stating the death of Lady Wolseley, his mother, and accounting for his necessary absence under such affliction. Mr Edmonds then addressed the crowd at length, and was followed by Mr Maddocks (another schoolmaster), who was succeeded by Mr Lewis (a schoolmaster of Coventry, and the same person who spoke at Stockport.) These persons proposed that Sir Charles Wolseley should be sent up to Parliament as "Legislatorial Attorney and Representative of Birmingham." The issuing of a writ being *compulsory*, they had not awaited the form of the mandate, but *anticipated* the right. The privilege constitutionally belonged to them, and they were fulfilling their duty as good subjects, in proceeding to advise the Sovereign by their representative. If they had not been commanded so to do, the error rested with others. The Baronet was

then nominated, and seconded, *pro formâ*; duly proposed and *elected*, amid the thundering acclamations of the multitude. The show of a *forest* of hands was a striking and interesting view, every person being distinctly visible to each other. A long and tedious remonstrance to Parliament was read, which the new elected member was to present to the House, and demand of the Speaker his place in the Commons assembly. A deputation was proposed to wait on Sir Charles Wolseley, and give him the necessary instructions of his constituents. Sir Charles had previously promised them to go and claim his seat in the House if they elected him. This will at least be a new and interesting case for the next Session. Mr Wooler addressed the crowd, congratulating the people of Birmingham on having taken their proper ground and rank in the empire. Major Cartwright said a few words, in the way of returning thanks, for the honour of *nine huzzas* rendered to his exertions in the cause of reform. The business of the meeting occupied three hours.

18. ROME; BRIGANDS.—Baron Rumohr, who resides in a country house about 400 yards beyond the town of Olevano, situated about ten hours' journey from this capital, received, some days ago, a visit of rather a disagreeable kind. It was in the evening, and there were only present the Baron, his son, and the Swiss painter Saladée. All of a sudden the door opened, when a fellow, wrapped in a mantle, with a red silk handkerchief rolled round his hat, entered, and gruffly asked for the Baron, who, guessing his danger, made a sign to his son and the artist, and answered, that he would go and fetch the Baron. At the door he was met by other four individuals armed with muskets, from whom, however,

he escaped, by darting across the garden, and flew to Olevano to seek for succour. The papal soldiery were in no hurry in getting ready for the pursuit, and before he returned with a party of them, the brigands had succeeded in carrying off Saladée and the young Rumohr, who were conducted to the distance of about a league into the neighbouring woods, where they found the rest of the brigands, about fifty in number, waiting their arrival. Most of them were young men, about the age of twenty, having beautiful scarlet uniforms, with rich girdles and diamond ear-rings. The chief of the gang had, besides, a large gold cross suspended from his neck. The brigands sent word to Olevano, that, for the son of the Baron, they must receive a ransom of 6000 scudi: as to M. Saladée, said they, since he is only a poor painter, we will release him for 50 scudi. During the negotiations the two prisoners were well treated; but they were told, "If you make the least noise, or the least signal, we will instantly put you to death; this is necessary for the sake of example." The painter was obliged to make portraits of the whole gang. At the end of two days the ransom of the young Baron was fixed at 2000 scudi. The brigands, in parting with him, embraced him, and the chief said to him, clasping him at the same time in his arms, "My son, the remembrance of you is engraven on my heart: I shall never forget you: I hope we shall see each other again at Naples."

19. ARREST OF SIR C. WOLSELEY. —Immediately on the "true bill" being found against Sir Charles, and the seditious hypocrite Harrison, Birch, the constable, was dispatched with a Bench warrant to apprehend the Baronet. On reaching Stafford, (the quarter session then

holding), Birch produced the warrant for the purpose of having it backed by the Court, which was immediately done by all the Magistrates present. He then proceeded to Wolseley-Park, but did not execute the warrant till the afternoon, on account of the funeral of the Dowager Lady Wolseley, which took place on the morning of Wednesday. When the officer made his appearance, Sir Charles, the "Old Major," and his brother itinerant, Wooler, were taking "sweet counsel together" in a field adjoining the house. What was the subject of their deliberations we have not yet learnt; but there can be no doubt it was relative to the "glorious cause" of riot and rebellion. Sir Charles surrendered himself immediately, and soon after set off in his own carriage, accompanied by the Major, the officer riding on the dicky. They changed horses at Stafford a little before eight o'clock, and drove on to Newcastle, where they remained till the following morning, when they reached Knutsford at half-past ten o'clock. Birch surrendered his captive in the Court, where Sir Charles, on being called for his plea, answered, "Not Guilty." Sir J. Stanley, the Chairman, asked him whether he was prepared with bail; and then the old Major presented himself, but was refused by the Court, not being a householder resident in the county. Several other admirers of the Baronet were also refused on similar grounds; and, in default of bail, the prisoner was committed to the custody of Mr Hudson. This was a case of emergency indeed! The Smithfield meeting at hand, and Sir Charles, (one of the principal performers engaged for that exhibition), in *quod*! The utmost endeavours were therefore made around the country to procure sureties; at last Stockport was thought

of, and from thence they were obtained in the persons of the loyal and patriotic John Lawton, of that town, grocer; and Edward Sanderson, of the same place, shoemaker; who were bound over in L.250 each, and Sir Charles Wolseley in L.509. The revolutionary Baronet was then let loose, to the great joy of the gallant Major; and on Friday they visited a man named Giles, who expounds politics, and teaches "the young idea how to shoot," at Ollerton. From Ollerton they departed on their way to Wolseley-bridge. Thus ended the memorable two days' peregrination of Sir Charles Wolseley, and his worthy coadjutor, the gallant old Major.

DISTURBED DISTRICTS. — The following is the copy of a letter addressed by Lord Sidmouth to the Lord-Lieutenant of the county of Chester. Similar letters have been sent to the Lord-Lieutenants of all the counties which are the immediate scene, or in the vicinity, of the Reform Meetings:—

"Whitehall, July 7.

"My Lord,—The numerous public meetings which have lately taken place at Stockport, and the adjacent parts of Lancashire, their manifest purpose, and the language which has been held at them, have engaged the serious attention of his Majesty's Government: Your Lordship's presence, under these circumstances, in the county of which your Lordship has the charge, cannot but be highly desirable and important; in order that, under your Lordship's authority, the most prompt and effectual means may be adopted for the preservation of the tranquillity of the county of Chester. The utmost vigilance and activity on the part of the Magistrates in the districts to which I have referred, is indispensa-

bly and urgently necessary, to maintain and enforce, if requisite, obedience to the laws, and to bring to justice those offenders by whom they may be violated. For these purposes, it is earnestly hoped the power of the civil authorities will be fully sufficient; but, as a measure of precaution, your Lordship is desired to give immediate directions to the several corps of Yeomanry Cavalry in the county of Chester, to hold themselves in readiness to attend to any call for support and assistance, which, in case of necessity, they may receive from the Magistrates; and the utmost confidence is justly placed in the zeal and promptitude with which, under such circumstances, the call will be obeyed. I have the honour to be, &c. SIDMOUTH."

20. ATROCIOUS MURDER. — A dreadful circumstance took place at Brighton, in the Barrack-yard in Church-street, facing the royal stabling, this afternoon. At about half-past four o'clock the military, the 90th regiment, turned out there for the afternoon's parade. A private, who had been confined in the morning for being absent from duty, was released by the orderly serjeant, Watson, to fall-in for the parade. The fellow, meditating revenge for the confinement he had endured, no sooner had his musket in his possession, than, as it seems, he charged it with a ball-cartridge; and as Serjeant Watson descended from his room to the barrack-yard, he deliberately took aim at him, and shot him thro' the body. The ball entered on one side, near about the ribs, and came out of the other. Surgical assistance was useless. He did not survive the fatal wound more than twenty minutes. The horrible deed was perpetrated in the midst of the soldiers mustering for the parade; many of whom supposed the gun had been

fired from the other side of the yard wall, and were in the act of scaling it to discover by whom, when the miscreant threw down his piece, and exclaimed, that he was the man, that he had then had his revenge, and was in no way sorry for what he had done. He was then secured. The deceased bore a very excellent character, and has left a wife and three children to deplore his loss.

• 22. SMITHFIELD MEETING.—This meeting, the expectation of which has, for the last fortnight, occupied the public mind in the metropolis, took place yesterday at one o'clock. Every precaution was taken, by the judicious disposition of the forces, civil and military, in various places in the vicinity of the meeting, to prevent the recurrence of those dreadful scenes which disgraced London in December 1816. Orator Hunt was, of course, the hero of the day; Parson Harrison preached treason; and Cobler Preston paid some very oily compliments to the *noble and incomparable chairman*, the Orator. All this was as it should be. We have no inclination to wade through the slough of ribaldry, treason, blasphemy, and nonsense, uttered upon this occasion, by a parcel of seditious madmen, stirred up and goaded on by that scum of demagogues, Hunt; suffice it to state, that the meeting manifested no disposition to riot, overawed, no doubt, by the imposing front of preparation previously arrayed against such a contingency, and in the end dispersed peaceably, their fury having got vent in huzzing the treasonable speeches pronounced by Hunt, the Cobler, the Stockport Parson, Gast, (humorously accused by *The Times* of witchcraft), and several other equally distinguished personages. Sir C. Wolseley apologized by letter for his absence, being laudably employed in *organizing* some

revolutionary projects about Manchester, preparatory to the celebrated meeting, which it will fall our lot, next month, to record.

24. STUART PAPERS.—Erroneous accounts having been published respecting this valuable acquisition, it must be interesting to the public to learn something accurately of its fate. It is now above two years since these important documents were discovered at Rome, by Mr Watson, a Scotch gentleman, then resident in that city, in a situation which must have soon ensured their destruction, from the joint operation of vermin and the elements. M. Casarini, the auditor of the Pope, was the executor of Cardinal York, the last male descendant of James II. The executor did not long survive the Cardinal; and his successor, M. Tassoni, became his representative as executor of the Cardinal York. To M. Tassoni, then, application was made for leave to examine the papers. It was granted, together with permission to copy them at pleasure. This last indulgence was soon discovered, from the number and importance of the documents, to present labour almost without end, and led to the acquisition of the originals by purchase from M. Tassoni. Though the sum which he received for them was inconsiderable, yet so little value did M. Tassoni set upon them, that he actually considered himself as much overpaid. As they were perused, however, their immense worth became known; and Mr Watson unfortunately considered himself under no necessity of concealing the value of private property, which he had legally bought from a competent vender. But, under an absolute government, right is no protection. The archives of the Stuarts were seized, by an order of the Papal Government, in the apartments of the

proprietor; and Cardinal Gonsalvi justified this despotic act, by a brief avowal that the Stuart Papers were too great a prize for any subject to possess. With his eminence the Cardinal Minister the proprietor in vain remonstrated against this injustice, and at length notified his determination to appeal to his own government, the British Consul having declined to interfere. The Roman Government, upon further reflection, saw that the measure which it had adopted could neither be justified nor tolerated; and in this dilemma it sought refuge from a curious expedient: it offered to the Prince Regent, as a present, that property which it had taken by force from one of his subjects. The British Government never denied the right of Mr Watson to property which he had fairly bought, though it wisely entered into a negotiation with him, for the purpose of rendering objects of such peculiar national interest the property of the nation. A respectable commission has lately been appointed, under the royal warrant of the Prince Regent, to inquire into their nature and value, and report accordingly.

ATTEMPT TO ASSASSINATE BIRCH, THE STOCKPORT CONSTABLE.—In the evening of yesterday, about a quarter before ten o'clock, William Birch, (who is assistant deputy constable of Stockport, and who has made himself obnoxious to the Reformers by having taken Sir Charles Wolseley into custody, and also from being the person sent to London with the Bench-warrant against Parson Harrison), having brought Harrison to Stockport, the circumstance soon became known, and a considerable crowd assembled round Birch's house, where his prisoner was secured. Several threats having been made by the mob that they would

pull Birch's house down, and liberate Harrison, Birch felt it prudent to consult the Rev. Mr Prescott (a Magistrate) as to what course he should adopt, with regard to his prisoner, under the circumstances. On his way to Mr Prescott's, and within a few yards from that gentleman's house, Birch was accosted by a man who calls himself Joseph George Bruce, (a person not much known in Stockport, but who states that he came lately from London, and last from Dublin, and who has been for a few weeks assistant to Harrison in his school of reform, and is also designated as Secretary to the Stockport Reform Society.) This man entered into conversation with Birch, and two other persons in Bruce's company joined them. Bruce kept Birch engaged in conversation, and breasted him, so as to prevent his going on, and the other two were passing towards Birch's rear, who then began to feel himself unsafe, and meditated a retreat: particularly so, as a considerable crowd were very near them; however, before he had time to decide on any step, one of the two men fired a small pistol, the bullet from which passed into Birch's breast, about the pit of the stomach, and took a sloping direction towards the right side. Birch screamed and leaped over the garden-wall of a Mr Lloyd, and reached the house of Dr Killer before he fell; the three men then fled. The ball has not yet been extracted, but hopes are entertained that the wounded man may recover. Three men (one of whom is Bruce) have been taken into custody, and have undergone a long examination this day before the Rev. C. Prescott, J. W. Tatton, and P. Marsland, Esqrs.; two of them, viz. Bruce and a person of the name of David Davics, (who was one of the three present when the shot was fired), are

remanded; the third has been discharged. The person who fired the pistol has not yet been identified, from the state of the wounded man rendering it not advisable he should be disturbed. Harrison is stated to have expressed deep regret for Birch's accident, and said he did not wish to have been taken to Stockport, and neither was it intended he should.

• COURT OF ASSISES, PARIS. CONVICTION OF SARRAZIN FOR BIGAMY.

—In the year 1799 Sarrazin was at Leghorn, then occupied by a French army, where he became acquainted with and subsequently married Cecilia Charlotte Schwartz, daughter of a merchant of that city. With this lady he received the sum of 28,750 livres florentines. This marriage was celebrated on the 4th of June 1799, according to the rites of the Protestant Church, to which the lady belonged. On the 10th of June 1810 Sarrazin, then employed as an officer at Boulogne, deserted the standards of France, and passed into England. In consequence of this act he was condemned to death *par contumace* on the 15th Nov. 1810. Being in London in 1813 Sarrazin became acquainted with Georgiana-Maria Hutchinson, whom he married on the 26th of May the same year, according to the rites of the Church of England. This marriage was followed by an abjuration of the Catholic religion, which had hitherto been professed, on the part of Sarrazin. These facts, and others confirmative of them, being proved to the satisfaction of the jury, they pronounced a verdict, finding the accused guilty of the crime charged against him. The President immediately pronounced the sentence of the Court, which was, that Jean Sarrazin be condemned to the galleys for ten years; to the pillory; and to pay to Georgiana-Maria Hut-

chinson the sum of forty millions of francs by way of compensation. When this sentence was pronounced, Sarrazin addressed the jury and the court in the following terms: "*Je vous remercie, Messieurs les jurés et Messieurs les juges; d'un général de terre vous venez de faire un général de galères. Le Département de Lot-et-Garonne sera très reconnaissant de votre sagesse et de votre impartialité. C'est charmant!*" Miss Hutchinson has implored the King to pardon the "*général de galères*;" but in spite of all her efforts in his favour he has been subjected to the "*travaux forcés*," to which he was condemned.

26. MR OWEN'S MEETING.—This day a public meeting was held at the city of London-tavern, Bishopsgate-street, for the purpose of receiving the report of the committee appointed to take Mr Owen's plan for bettering the condition of the lower classes into consideration, and to state their opinions of its practicability. At a little before one o'clock his Royal Highness the Duke of Kent entered the room, and was received with loud applause. He was accompanied by Mr Owen, Sir William de Crespigny, Alderman Wood, Major Torrens, and several other public characters. Having taken the chair, his Royal Highness addressed the meeting. In undertaking, at the request of Mr Owen, to fill the chair on that occasion, he was not unmindful of the arduous task he had to perform; and it was only his complete dependence on the kind support and indulgence of the meeting which could have induced him to do so. He felt that the Committee had not had time nor means sufficient to give to Mr Owen's plan, that trial which its nature and importance might require. However, the best consideration in the power of the

Committee had been given to it; and their report, such as it was, would be read. After that had been done, he would then leave the matter in Mr Owen's hands, and to the disposal of the meeting. He hoped, however, it would be borne in mind, that the meeting had been called by Mr Owen, and the whole of the preparations for it, entirely at his expence; and that the necessity of having something done to alleviate the distresses of the poor would be taken into consideration. It was with the conviction of the existence of those distresses, and the anxious desire to see how far the proposed plan could be made subservient to their relief, that the Committee had entered into the examination. At the same time, the Committee did not pledge themselves for the results which were anticipated from it, nor for those of any other plans which Mr Owen might hereafter bring forward; but they wished that an experiment should be tried on one scale; and they conceived it might be productive of considerable benefit. His Royal Highness then read the following report of the Committee, except the last resolution:—"The Committee appointed by the select public meeting, held on the 26th of June last, report, that they have met several times under the presidency of his Royal Highness the Duke of Kent. That the result of these meetings, at which the model of Mr Owen's proposed establishment was subjected to inspection, and Mr Owen himself enabled to give further elucidations of it, while it has afforded the Committee a more accurate view of the general nature of the proposed establishment, leaves them to regret the want of an experience of the effect of such establishments in practice. The concurrent testimony, however, of all persons who have

visited the establishment at New Lanark, leaves no room to doubt the efficiency of the plan adopted there, under the immediate superintendence of Mr Owen, for promoting the comfort and happiness of the persons employed in it, and for training their children in those habits of moral discipline by which that comfort and happiness may in all human probability be ensured. The Committee, however, remark, that the plan, as proposed for national adoption by Mr Owen, differs in many essential particulars from that so successfully pursued in the commercial undertaking of New Lanark; but there is, in the opinion of the Committee, sufficient analogy between them, to justify a well-grounded expectation, that similar arrangements might produce effects of an equally beneficial nature and result. Influenced by this consideration, and strongly impressed with a sense of the acknowledged evils of pauperism, and of the waste and abuse of the enormous sums raised for the support of the poor, the Committee hope they will not be considered as trespassing too much on the confidence of the public, if, gladly availing themselves of any apparently practicable prospect of relief from evils so oppressively increasing, they venture to recommend, that a single establishment of the description in question should be founded, by way of experiment, to ascertain the nature and extent of the advantages to be derived from it. The more immediate benefit they contemplate would be the constituting a resource for agricultural and other healthy employments for the adult, and a system of progressive useful education for the infant poor; thus affording the means of relief by withdrawing those classes from the injurious habits and associations of work-

houses in the parishes of the metropolis and other populous places. The Committee anticipate also the possibility of rendering such establishments subservient to a better system of parochial relief; and that a very small proportion of the enormous funds raised in some of the larger parishes, consolidated and appropriated to the foundation of one common establishment of the kind in question, would, at no distant period, be amply sufficient to support the poor in consequence of the productive labours of the individuals who should be placed there. The beneficial effects of an union of funds has already for some years been experienced in Suffolk, where the parochial workhouses have been superseded by the erection of hundred or district houses, by which means much waste and local abuse of the funds have been obviated, and the poor-rates materially lowered in amount. The Committee cannot conclude this their report without expressing their cordial thanks to Mr Owen, for the liberal manner in which he has met the wishes of the public and of the Committee, by affording every facility for promoting the investigation of his plan, and for the candour evinced by him on all occasions in his intercourse with the Committee." His Royal Highness continued:—Such was the report of the Committee, and here their labours would end, unless it was the wish of the meeting that they should be reappointed, and means afforded them for carrying one of their suggestions into effect. For any future plans or publications of Mr Owen's, however highly they might appreciate his benevolent views, and however much they might wish prosperity to his undertaking, they would not be answerable. They now left the matter in his own hands. In

conclusion, his Royal Highness said, that he would call on Mr Owen to explain himself to the meeting, and if in the course of his address any lady or gentleman wished for a more full explanation of any part of the plan, they would, he had no doubt, be readily gratified by Mr Owen.

Mr Owen then came forward, and addressed the meeting as follows:—"The illustrious Chairman has stated, that this meeting has been convened with a view to find a remedy for the distress which now pervades the great mass of the population of this country. It has been so convened, under the conviction that the distress is not of an ordinary nature, that it will not cure itself by a miracle, but that it now requires the active agency of intelligent minds to remove those obstacles which prevent relief from being speedily obtained. You will not deem it necessary for me to consume the time of the meeting by dwelling on the distress which is known to exist among the poor and working classes, in almost every part of the kingdom. All I shall now say on this part of the subject is, that the extent of the privations and sufferings of four-fifths of the population is unknown to the other fifth, and therefore it is unattended to by them. This one-fifth, however, has the wealth and power of the country at its disposal. This power is more immediately concentrated in the two Houses of Parliament. But Parliament has separated without adopting any measures that can relieve the distress of which the sufferers are compelled, by necessity, so loudly to complain. The prorogation of the Parliament, under the circumstances in which the poor and working classes now are, is a tacit acknowledgment that the Government is ignorant of the means by which relief can be given. I will not

for a moment suppose, that the Legislature of the British empire could discover how to give bread to the hungry, and afterwards withhold such knowledge from the public. The Legislature must feel that the well-being of the British nation depends on the speedy adoption of measures to prevent the mass of the people from starving. The means of relief, then, are hidden from the Government and the Legislature, and they appear to conclude that the evil will cure itself. In this conclusion they are right, only that the cure will not be effected by any of the modes which, probably, they now anticipate. The same cause which created the distress is still in active progress, and, if it shall not be arrested, it will go on increasing until the distress shall become so great that human nature cannot longer submit to it. Thus will the evil cure itself, by forcing society to adopt some efficient system of amelioration, or it must goad the working classes and the country into a revolution. The cause of the distress is the extraordinary increase of mechanical and other scientific power, which has created production far beyond the consumption that the existing arrangements of society permit. The people are at this moment experiencing the same privations and misery, from the excess of production, that savage tribes do from dearth and famine. I ask the intelligent traders, manufacturers, and merchants of this emporium of the commercial world, if they know any profitable market for British productions, either in Europe, Asia, Africa, or America? I know there are none: and why are they not to be found? For no other reason whatever, than that British mechanic and other scientific powers have produced, and sent into the four quarters of the

world, more of every article than the existing arrangements of society permit to be consumed. Here is the true and the increasingly fertile source, of your pauperism, crimes, and discontent. On the subject of the individual sufferings which this excess of production creates through the great mass of the working population of this and other countries, I will not now dilate; for if half the truth on this subject were made known, it would but increase that irritation which now pervades society, but which it becomes the interest of all to allay as soon as possible. By anger and violence no real permanent good can be obtained. You will be impatient to ask, what is the remedy for this excess of production? Is machinery to be destroyed? I reply, No. It cannot be diminished now without creating even more evils than those which are experienced. It is as impracticable to destroy machinery in the present advanced state of society, as to attempt to stop the diurnal motion of the earth, and to give it a contrary direction. Political economists say, that every improvement in science, every addition to mechanic power, must be productive of benefit to mankind. I ask them what is the existing fact? Has the situation of the working classes of this country improved within the last forty years, during which so much discovery has been made, and so much new power been created? The theory, however, is true, that every improvement in science *ought* to be a benefit to mankind. Thus, the increase of productive power from science *ought* to ameliorate the condition of all ranks and descriptions. Yet facts prove that such increase now deteriorates the condition of more than four-fifths of our population, and does not benefit the remainder. I have sta-

ted, that the distress which pervades the country arises from the power of production greatly exceeding the means which the existing arrangements of society permit to consumption; also, that it would be contrary to every wise principle to limit production, because it is from an increase of the powers of production only, that the condition of man can be ameliorated, and that it is now impossible to limit production, without creating still greater evils than those which are experienced. The natural remedy which offers itself, and which nature evidently intends, is to permit consumption to keep pace with production. The next question which arises is, how can this increased consumption be permitted to take place without injury to some classes, without opening the door to violence and confusion, or without prematurely deranging the social system which at present exists? All the measures of relief which have been hitherto proposed have been erroneous in principle, impracticable in execution, or of too limited a nature to effect the object intended. It would take up too much of the time of the meeting to discuss these plans now, but I am prepared to prove all I have stated. The remedy, then, is to prepare the means by which consumption shall be first raised to, and afterwards made to keep pace with, the increasing powers of production, whatever they may be, that is, my friends, to speak as a commercial man, that we shall always have a profitable market for all our goods, merchandise, and agricultural produce, whatever may be their amount. This is necessary to relieve you from distress; and this you must have, before you can obtain any permanent or substantial relief; and this relief will be the certain result of those extraordinary powers of production which your

skill, science, and industry have created, whenever they shall be properly applied to practice. The remedy which I propose will ensure those results which learned men have anticipated from inventions in mechanics, chemistry, and other useful sciences; results which are the reverse of those which science has hitherto produced. Half a century ago, Great Britain had few paupers; a moderate proportion of labourers, comparatively well paid; and a large proportion of yeomanry, who were indeed the pride of the country: now the majority of the yeomanry have become labourers, many of the labourers have become paupers, and, as a natural consequence, the paupers are becoming vicious. With powers of production in proportion to its inhabitants previously unknown in ancient and modern times, the British Government suffers that power to be applied to destroy the prosperity of the kingdom. In less than the last half century, there is good reason to conclude, that the aggregate productive power of Great Britain has increased as 12 to 1, compared with the actual population. Had this power been understood, and wisely directed, as it advanced, paupers would have become labourers, labourers would have become tenants, tenants would have become proprietors, and proprietors would have become more wealthy and independent. The plan which I contemplate will certainly effect this change. Pauperism will thus soon disappear; the situation of the labourer will be greatly ameliorated, and he will in a few years, by his improved habits and regular industry, become a small independent joint proprietor; while all the higher classes will obtain their full proportion of this gradually improving prosperity of the country. The arrangements now

before you have been formed on these principles, to enable society to enjoy the advantages of the extraordinary productive power which it has acquired from science; and I offer them as a safe, easy, practicable, and natural means, by which this desirable object may be attained. In the outline of the arrangements before you they appear few and simple; and every one will hastily conclude that he understands them. This is a very natural first impression, but it will prove to be erroneous; for this arrangement is not a hasty and crude combination; it is the deliberate result of much reading, of great reflection, and of long, extensive, and, I may add, valuable practice. Simple as it appears, it combines the essence of the experience of past ages with the advantages and improvements of modern discoveries and practice. Duly to appreciate, and to decide on its merits or demerits, the mind should be previously furnished with just and accurate ideas of human nature, derived from extensive experience; it should have a distinct outline, at least, of the various compounds of ignorance and folly, and of the approximations towards wisdom, into which the practices of the world have at any time formed man; it ought also to have some knowledge, from experience, of what can and what cannot be done by training, education, and a new arrangement of circumstances, to improve the individual, and ameliorate the condition of society. It has been called a visionary plan. Name now the individual who, from his experience, is competent to prove it visionary. Some young or inexperienced writers in some of the daily journals freely apply the epithet of visionary to myself; they do so because they do not know my habits; if they did,* and saw what at New Lanark

is in daily practice, they would perhaps begin to doubt whether they were prepared to lead the public mind as to what is visionary or what is practicable. It is, however, for the public to judge, whether more sound and useful knowledge may not be reasonably expected from thirty years' daily extensive experience, than from their ingenious conjectures, or their occasional random and contradictory assertions. But several popular objections have been urged against it: such as occur to me I will now briefly notice:—*First*, It has been asserted, that the plan is impracticable: *Secondly*, That, if practicable, it would enslave and degrade the poor and working classes: *Thirdly*, That it would make the poor and working classes too comfortable and happy, and in consequence that population would increase too rapidly.' I have well considered these objections; and I know that each of them proceeds from a limited view of the subject, from the want of general experience, and from some fundamental errors respecting human nature, which many have been compelled to receive from infancy. These, and every other objection that may be made, I am ready to discuss in the most full and ample manner. To obtain speedy and effectual means of fairly replying to all the objections which can arise to the measures I propose, this meeting has been convened; and from you I now ask those means. Acting on this principle, I now state, that the plan before you must be carried into execution both from necessity and motives of private interest; that it cannot be introduced into practice without necessarily creating a great change throughout the whole fabric of society. So thoroughly convinced am I of this truth, that it is my most earnest wish

to submit to examination the whole of the principles and practices connected with this plan, that they may undergo the most trying ordeal to which they can be put; that a competent judgment may be passed upon them, and the public mind no longer held in suspense; that if the principles and practices thus recommended should prove erroneous, the subject may be dismissed from the public mind; but that, if such examination prove them right and good, our suffering fellow-creatures may be speedily relieved from the distress which now overwhelms them, and the country be put in possession of that gradually increasing prosperity to which it is so justly entitled by its unequalled science, skill, capital and industry. For this purpose, I recommend that separate committees of investigation shall be formed from among the principal classes, whose interests and influence now govern the country, and that each committee shall report to a future public meeting their opinion as to the probable effects which the measures I should explain to them may have upon the interests of the class for whom they were appointed to investigate. Should such committees ever be appointed, it is my intention to procure a large room, in some convenient part of the metropolis, put up the models, and, if necessary, attend daily to give whatever information may be required, and answer such objections as must naturally exist in the minds of the different parties. Much as might be said in explanation of my proceedings, your time will admit only of that which is most essential; and as some who are present may wish, and are justly entitled, to engage your notice, I will now conclude, by briefly recapitulating those sentiments which I wish to press upon your attention. The 1st is, That the coun-

try is in great distress. 2. That the principal cause which occasions such distress is the rapid increase of machinery and other scientific power, which create productions more abundantly than the present arrangements of society permit to be consumed. 3. That machinery, and productive power from science, cannot now be restrained without creating still greater evils. 4. That if scientific productions could be limited, it would be most unwise to limit them, because as they increase abundance of all kinds, they ought, and may be made to be highly useful and advantageous to all ranks and classes. 5. That the only proper and natural relief from the existing national distress is, to prepare judicious practicable means, by which gradually, and without injury to any individual, consumption may be raised to the present power of production, and afterwards made to keep equal pace with it. 6. That this principle applied to practice will elevate the whole scale of society; while the opposite principle, now in practice, must necessarily force the great mass of the people to descend rapidly into poverty and misery. 7. That while all admit that 'something must be done,' it will at the same time be admitted, that nothing effectual can be done without creating a great change, a change even from adversity to prosperity. 8. That Parliament has been prorogued without adopting any effective measures of relief for the poor; and thus has been tacitly acknowledged, that the Government and the Legislature have not sufficient practical knowledge of the poor and working classes, and of their concerns, to devise measures for their relief. I mean no disrespect by these observations, either to the Government or the Legislature; I merely state a simple

fact, admitted by all. 9. That under these circumstances, an individual, unconnected with class or party, but who has devoted nearly thirty years to extensive experiments on the subject, and to acquire an accurate knowledge of the habits and circumstances of the poor and working classes, offers a mode of relief to the public, on the principle of raising consumption equal to production, and afterwards to give a regular and uniform increase to both, by which means new wealth will be abundantly created, and the country soon liberated from its present difficulties. 10. That this individual does not wish to conceal from the public that this change will more or less affect every class and party in the state; but that he believes, without a shadow of doubt remaining upon his own mind, that no individual, of any description, from the highest to the lowest, will suffer by the change; on the contrary, his conviction now is perfect, that all must be great gainers. 11. That, nevertheless, he desires no confidence to be placed in his conviction, however clear and strong it may be; but he asks from the most respectable and intelligent of all parties a full, fair and open investigation. 12. That he asks for this extended and respectable investigation, because the necessities of the country are so urgent that they cannot wait for years of longer experiment; and a sound and safe public opinion, upon a subject affecting all the vital interests of the empire, ought to be formed only after such an investigation. 13. Probe this individual, now, to the uttermost, and see if it be possible than he can be influenced by any private motive or personal object. If, then, his motives cannot be impugned—if his experience has been correctly stated—if the country is in general distress

—if these are facts, and he only asks for investigation, will you not afford him the inquiry which he solicits?"

Sir William de Crespigny, in rising on this occasion, was desirous to state the motives which had induced him to bring forward, in another place, Mr Owen's plan for ameliorating the condition of the poor. It was absolutely necessary, it was the imperative duty of all, in times of difficulty, to lend a helping hand to that class of the community when weighed down by want, by poverty, and misery. The time was arrived when their situation must be attended to: the period was come when something must be done for their relief. He looked with abhorrence on the system of transporting his fellow subjects, in order to give them the means of subsistence in a foreign country. Mr Owen had declared, without the fear of contradiction, that there was in the country at present ample means of support for its population; and that even if this population were increased fourfold, there would be an ample supply for the necessities of such an increased population. When such a statement was announced, would any person allow prejudice to shut his eyes against the light of conviction? He knew, indeed, that some persons read Mr Owen's publications with a determined resolution to oppose his plan; and the reason they assigned for this opposition was, that by Mr Owen's plan man was made too much a machine. Now, he was astonished that any person should oppose it on such a ground; for, in his opinion, the more we were machines the better, provided those machines were properly directed. It was by being machines, that in early infancy impressions were made on our minds; it was by being machines that we were forced into a

state of civilization. Every thing that was good for man was proposed by the plan of Mr Owen ; its object was to put aside poverty, vice, and misery, and to restore the blessings of plenty, virtue and happiness. Freedom, too, formed an essential part ; it was, indeed, the very basis of the plan. No one would be obliged to enter into the system ; no man who was equal to the support of himself and his family need come under it. In adverting to the moral effects of this system, the Honourable Baronet stated the strong fact, that during the fourteen years that a village, established on this plan at Larnark, had existed, no person had been brought into a criminal court from that village. He was disposed to give all the support in his power to this plan ; and he congratulated the country that there were individuals, as illustrious in rank, as they were remarkable for their extensive charities, who boldly and generously came forward in this cause, and who were always ready to promote every plan for relieving the distresses of the poor. He concluded by moving, that the report of the Committee appointed at the meeting held on the 26th of June be approved of this meeting, and he trusted there would not be one dissentient voice.

Mr Took observed, that the motive by which he and his colleagues in the Committee had been actuated, was a desire to ameliorate, as far as was practicable by investigation, the condition of the poor. It was an experiment only which the report of the Committee recommended ; and by the success or failure of that experiment the plan itself must stand or fall. At all events, even if it should fail, he conceived that great benefit would result from the investigation which it had occasioned. The result of this experiment would

set at rest the issue between the practical plan of Mr Owen and the theories of political economists.

Sir Samuel Clerk Jervoise said, that Mr Owen had been called a wild visionary ; but if he could only prove that his object was attainable, his end would be gained. It appeared from what a gentleman had said, that there were many other plans for the attainment of the same object ; and he therefore insisted on it, that Mr Owen had done great good, if even nothing more should result from his labours than the investigation which had produced all these plans. He begged leave to move, that, in pursuance of the recommendation of the Committee, one establishment on Mr Owen's plan should be founded by way of experiment, and which, it was confidently expected, might be attended with results equally beneficial to the public and to the promoters of it.

Major Torrens rose for the purpose of giving his humble support to the resolution, and of stating, at the same time, the extent to which he agreed with Mr Owen, and the reasons which induced him to dissent on some points. It was gratifying to reflect on the readiness with which their Royal Chairman, and all his illustrious relatives, gave their countenance to every plan for the relief of the distressed ; it was gratifying to the poor to be assured in their distress, that the sanction of the highest authority would be given to every proposal for their assistance. Nor should the proposer on this occasion be forgotten. Mr Owen was a surprising man ; persevering in his exertions, and when opposed, only exhibiting fresh ardour. Whether right or wrong, there was a moral grandeur in his character ; and when we reflected on the philanthropy of his motives, we might well excuse

the virtuous enthusiasm of "laying the flattering unction to his soul," that he was the high-priest of reason. It was not his intention to represent Mr Owen as an enthusiast: he thought, indeed, that Mr Owen had invented an admirable machine for the cultivation of the human mind. The gallant Major then expatiated, at some length, on several parts of Mr Owen's plan, and recommended the founding of one village as an experiment. After some remarks by Mr Saunders and Mr Rowcroft, the resolution was agreed to unanimously. General Brown then proposed a resolution for raising L.10,000 by general subscription for defraying the expence of forming the establishment recommended in the preceding resolution, with an understanding that no part of the sum subscribed should be called for till another general meeting of the subscribers should be convened to discuss the details of the plan, to elect a treasurer, &c. The resolution was agreed to; and a number of subscriptions having been procured, and Sir S. C. Jervoise having moved a resolution of thanks to his Royal Highness the Duke of Kent, for the able and condescending manner in which he had been pleased to conduct the business of the day, the meeting dispersed.

28. EVACUATION OF PARGA.—Letters have been received from the Ionian Islands, dated in the beginning of June, detailing the events which took place on the cession of Parga to the Turks. We collect from them the following particulars:—By Sir Thomas Maitland's orders, the officer commanding the British garrison at Parga made known to the inhabitants, that in conformity to arrangements with Ali Pacha, a Turkish force was to enter their territory without delay, but that the English troops would remain for their pro-

tection along with the Turks, until they were able to arrange all their affairs, and complete the emigration. On receiving this intimation, which was confirmed by the approach of an Ottoman force, the Parganotes, having held a consultation, sent to inform the commandant, that as such was the determination of the British Government, they had unanimously resolved, that should one single Turk enter their territory before all of them should have a fair opportunity of leaving it, they would put to death all their wives and children, and afterwards defend themselves against any force, Turkish or Christian, that should violate the pledge made to them, and that they would fight until only one should survive to tell the story. The English Commandant, perceiving by their preparations that this resolution was irrevocable, instantly dispatched information to Sir Thomas Maitland, at Corfu, who sent General Sir Frederick Adam to expostulate with them. That officer, on his arrival at Parga, observed a large fire in the public square, where the inhabitants had heaped together the bones of their ancestors, collected from the churches and cemeteries. All the male population stood armed at the doors of their respective dwellings; the women and children were within, awaiting their fate: a gloomy and awful silence prevailed. A few of the primates, with the Protopapa at their head, received General Adam on his landing, and assured him that the meditated sacrifice would be immediately executed, unless he could stop the entrance of the Turks, who had already arrived near the frontier, and effectually protect their embarkation and departure. Fortunately, Sir Frederick Adam found means to prevail on the Ottoman Commandant to halt with his force. The Glas-

gow frigate, Captain Maitland, which had been sent from Corfu, having arrived, the embarkation commenced, and all the Parganotes proceeded, under her protection, to Corfu. The Turks, on their entrance, found Parga a desert; and the only signal that marked their reception was the smoke of the funeral pyre, in which its late inhabitants had consumed the bones of their forefathers. The unfortunate emigrants are now principally at Corfu, waiting, as houseless wanderers, the distribution of the miserable pittance of L.48 *per* head, obtained for them by their protectors, which is to be called a compensation for the loss of their property, their native soil, and social existence.—We have given the above as we found it in the public journals. A controversy has, however, arisen respecting the *facts* connected with the cession of Parga, and the most opposite statements have been solemnly vouched for by the contending parties. For example, nearly the whole of the above statement has been strenuously contradicted by the Quarterly Review. We quote the passage, with the authorities to which the writer refers: “To M. Duval, to the ex-official agents of the Parganotes, and to those who have been concerned in getting up this afflicting catastrophe, the circumstance we allude to may not be considered of much importance: it is simply this; THAT THERE IS NOT ONE WORD OF TRUTH IN IT FROM BEGINNING TO END—THAT THE WHOLE IS A FABRICATION. Yes, gentle reader! the families marching out—the priests preceding—the sons following; the procession to the sepulchres; the disinterment of the bones; the huge pyre of wood; the firing of it in solemn silence; the troops of Ali and the deputation of the citizens; the threat of putting to death

their wives and children, and dying with arms in their hands; the burning of the pile; and the silent embarkation—ALL, ALL THIS MACHINERY, AND EVERY PART OF IT, we most positively and unequivocally assert,—and pledge ourselves for the truth of the assertion,—to be an absolute and positive falsehood; and we do not hesitate to appeal, for the truth of our statement, to Major-General Sir Frederick Adam, and to Lieutenant-Colonel Gubbins, who delivered up the place, the latter of whom had been eight months Commandant of the garrison, and Civil Governor of the town, and remained in Parga three days after its occupation by the Turkish troops.” Vol. XXIII. p. 136.

AUGUST.

1. COURT OF ASSIZES, PARIS. TRIAL OF PROFESSOR BAVOUX.—Before seven in the morning, the doors of the Court were surrounded by a considerable crowd. The young lawyers of Paris filled the bar, and every other part of the Court was occupied. No armed force was employed within the Court to preserve order, but proper decorum was notwithstanding observed. The proceedings commenced at half-past ten. The prisoner, in answer to the usual questions, said, he was named François Nicolas Bavoux, aged 47, and Supplementary Professor in the School of Law, (*Ecole de Droit*). In answer to the first questions of the President, M. Bavoux stated that he succeeded M. Pigeau in the Professorship of the class of Criminal Process in the School of Law, and that there was no disorder or fermentation among the students, in

the sitting of the 22d of June. President.—On the 23d, however, the beadle reported the disorder to the Dean. M. Bavoux.—There was no disorder either on the 22d or 23d. My lectures on those days were unanimously applauded. On the 24th, however, the applause being immoderate, I felt myself called upon to remind the students, that a Professor in his chair was not like an actor on the stage. I requested those who were dissatisfied to retire. The beadle never having before heard so much applause, concluded there was some disorder, and stated to the Dean that there was a seditious plot on foot. He even offered to point out the leaders. Had there been any plot, the Dean was thus possessed of the means of rendering it abortive. Why, then, did he not take steps to prevent, instead of waiting to repress the tumult! President.—It appears, however, that the Dean wrote to you. His letter is very moderate: he says, “My dear Colleague; Some things have been remarked in your late lecture, which appear foreign to the laws you have to explain. There has been no disorder, and that is all that could be wished for; but I am informed that the affair will not go off so well on the next lecture. I therefore request that you will confine yourself to your duty.” Notwithstanding this letter, it appears that you have continued your political digressions. From the investigation it appears, that you spoke in a declamatory tone, not at all suitable to a professor. M. Bavoux.—I have nothing to say in answer to that: I spoke in the tone which suited the subject. President.—In your lectures on the 22d you attempted to vindicate the Convention. Bavoux.—I never mentioned the Convention. President.—In

speaking of the King and the Royal Family, you ‘constantly affected to describe his ‘Majesty as the chief of the Government. On article 75, you made several allusions to the ‘army of Condé. M. Bavoux.—I repeat here, what I have uniformly stated, that I never made any allusions. President.—You preached up a doctrine contrary to this maxim, “The King is dead; live the King!” Bavoux.—I never offered any doubt on that subject. I said, that notwithstanding the maxim, “The King is dead; live the King!” an attack on the life of the Sovereign was more criminal than an attack on the life of a private person. President.—You declaimed against the Criminal Code, and principally against the punishment of death. You said that every thing had been stamped with crime for the sake of the horrible pleasure of punishment. Bavoux.—If guilty then, I still am guilty. What I thought I spoke. President.—When a passage in your speech excited tumult, you repeated it more vehemently. Bavoux.—Applauses sometimes commenced before the sentence I was speaking had closed. It was therefore necessary that I should repeat it from the commencement, in order to connect the latter member with the former. I had, besides, another motive, which was, that I would not allow myself to be mastered by my audience. President.—On the 29th, when the students applauded close to your chair, and M. Delvincourt, the Dean, who was near you, remarked that, you observed, that it was indifferent to you. M. Delvincourt having replied, that only a seditious person would so speak, you exclaimed, “You are a brigand.” Bavoux.—There is not a word of truth in that statement.—M. Bavoux was then questioned re-

specting certain erasures in the manuscript of his lectures. It was observed, that they were covered with sand, and appeared to have been recently made, at the moment they were seized. He replied, that he was aware that, as no criminality could be proved in the manuscript, it was wished to criminate him for what was not in it. The fact was, that he had been obliged to draw up his lectures hastily, and correct them at every leisure moment, even in Court while causes were hearing. The President ordered several passages of the lectures of M. Bavoux to be read. An argument then arose on the hearing of witnesses, in course of which the defendant's counsel remarked with surprise, that in the pleadings the Advocate-General had chosen to call the defendant the *Sieur Bavoux*, instead of *Monsieur Bavoux*. M. Delvincourt was the first witness. He began by describing the origin of the disturbance. He deposed in contradiction to the denial of the defendant, that he had called him a brigand. The beadle of the college and other witnesses were heard for the prosecution. After which some witnesses, chiefly students, were called on the part of the defendant. These witnesses deposed, that M. Bavoux, while pointing out defects in the criminal code, had always instructed them to obey the laws. M. Vatemueil, the Advocate-General, then addressed the Court. On the motion of M. Bavoux, who was to plead his own cause, the further proceedings were postponed till the following day.

2. The trial being resumed, M. Bavoux addressed the Jury. He complained of the outrages committed on him; the ransacking his house, and the seizure of his private papers. He defended his lectures on the ground that he had only cen-

sured a penal code which was the work of a despot,—of that man of terror whom the people received with so much joy, and so quickly abandoned,—of that man whose first conquests in Italy exhibited him to the world as a deliverer,—of that man who saw around him a nation calling for social organization, and who gave them nothing but chains. Every thing that had been noble and generous in our laws was effaced, and the institution of jury trial completely degraded. He concluded by attributing the disorders of the *Ecole de Droit* to the officious interference of the Dean to suppress the natural ardour with which his youthful auditory applauded the subject on which he was descanting. MM. Pareil and Dupin afterwards addressed the Jury in behalf of M. Bavoux. The President recapitulated the evidence, after which the Jury retired, and in half an hour returned a verdict of *Not Guilty*, which was received with three distinct rounds of applause. M. Bavoux quitted the Court accompanied by about fifty youths, exclaiming “*Vive Bavoux*,” and surrounded by this retinue, passed along the Pont Neuf, the Quai de l'Ecole, and proceeded to the Oratoire, where he mounted a *fiacre*, and saluted the assembled multitude.

5. MANCHESTER.—The declaration of the Magistrates as to the illegality of the intended meeting of the 9th has had the desired effect. The requisitionists dare not persevere in their intentions of holding it; and an address, signed by “*Saxton*,” has been issued countermanding it. Another requisition, addressed to the Boroughreeve and Constables is now signing: its tone is considerably lowered.

ATTEMPT TO ASSASSINATE.—The British residents at St Malo and St Servan have been lately much alarm-

ed by an attempt to assassinate Lieutenant Collingwood, of the Royal Navy, who lived in the neighbourhood, at the little village of Kelmah. A shot was fired into his house through the window, and the ball lodged in the opposite wall without doing any mischief. The house fronts the garden, which is surrounded with high walls, and the matter appeared extraordinary, yet it passed without further notice. A few days afterwards, as Mr Collingwood was walking in the garden, a shot was fired directly at him, which must have killed him on the spot, had he not, at the moment, providentially stooped to caress a favourite pointer; the ball lodged in a tree just by. The business becoming too serious, the authorities were immediately apprised of all the circumstances; and the sub-prefect ordered the commissaries of police of St Servan and St Malo to proceed instantly to the spot. They tracked the assassin, by his footsteps, to a pile of wood on the outside of the garden, close to the wall, on which he stood, resting his piece, it seems, on the wall, and having his destined victim, in the second attempt, within about twenty yards of him. Mr Collingwood, from his own conduct, was an object of respect to all the villagers: he had given offence to no one, and conjecture was at a loss to account for this singular attempt on his life. It has, however, been at last discovered, that a report had gone abroad that Lieutenant Collingwood had greatly distinguished himself in the battle of Trafalgar, and that from the poop of the Victory, where he was posted, he had the good fortune to kill, at the very instant, the Frenchman who had shot Lord Nelson: no doubt is, therefore, now ascertained, but that the shot was fired,

in the spirit of hatred and revenge, by some French sailor who had been in that memorable engagement.

9. LORD NORBURY ON THE STATE OF ENGLAND, AND IRELAND. — At the Mullingar Assizes, Lord Norbury, in his address to the Grand Jury, of the above date, spoke as follows:—Gentlemen; I cannot pass over the present state of affairs, without saying a word or two upon them. I am glad to find that this county, which may be called the bosom of Ireland, is now at peace. All is quiet; no tumult, no confusion, no meetings; a prospect of a fine harvest; a likelihood of a plenteous crop; every thing composed from Derry to Dingle; fine corn-fields, and not a single field orator. I am sorry to say, this is not the case in our neighbouring island. Let us take care; we are an imitative people; we must not forget what has happened in past times. The historian observes, there never was a convulsion in England that was not followed by one in Ireland. It was so from the time of Wat Tyler down to the present. The state of England is lamentable; proceedings there have been allowed to go too far, for what reason I know not; whether it proceeds from weakness, or ignorance, or pusillanimity. Things have gone to such a pitch, that they will not now, I fear, be stopped without some difficulty. The gentlemen magistrates there seem not to know the laws of the land; they do not appear to know the strength of those powers committed to them. Since the time of Henry the Fourth, there has existed a power to suppress all riotous meetings, all seditious assemblies. The *posse comitatus* may be called out, and if need require it, resort may be had to armed force. Now, it seems as if men had been asleep, and not

ver awakened until the danger had aroused them. They have at length begun to act; the magistrates have met, and have passed some resolutions, that will, I hope, be acted on *instantly*; but it is for you, gentlemen, to look to yourselves—take care—*proximus audet*. I remember the time when the empire was nearly lost; when apathy and cowardice had almost cost us no less than the city of London; when an infuriated mob, headed by a crazy Lord, nearly demolished the capital, seized the treasures, loosed the felons and vagabonds out of the gaol, fired the city, and, in short, endangered the state. An Irishman, Lord Sheffield, was the first to oppose these outrages, and with an armed force he saved the Bank. Our good and glorious King took an active part, and not waiting for the assembling and debating of his Counsellors, assumed the responsibility, repressed the violent proceedings, and rescued himself and his kingdom from ruin and devastation. Now, gentlemen, should men in the present day wait for the assemblage of Magistrates and Counsellors? Some of these legal authorities, perhaps, are now in the country; some, perchance, are rambling and pleasuring on the continent, while the state goes to pieces. No, gentlemen, the Legislature has armed the Executive and the Magistrates with sufficient force. Here is the act; I have it in my hand; every man should know it; it is quite plain and clear; he that runs may read. (Here his Lordship read the act of 1817, against societies and clubs and assemblies, which meet under pretence of petitioning.) I am happy that there is not a single gentleman that has joined these wild and visionary men: there is but one man of any name who has taken a part in this reforming business, a Sir Charles

Wolesley—a poor fool! He, to be sure, regrets that he is the only one, but I rejoice; and I prophesy that he will pay dearly too. A bill of indictment has been found against him, and I warrant that he will very shortly be laid by the heels. We must take care of ourselves. Let us remember, in the time of Charles I., that every thing was quiet and tranquil, just as peaceable, and seemingly as much at rest, as at this very moment, when, all on a sudden, in one minute, out blew such a horrid volcano as turned every thing topsyturvy. The constitution was pulled down, the poor King was dragged to death, a Usurper seated himself in his place, and a sad rebellion here sprung up that wasted the entire land. Gentlemen, I love you well, I love the country much, I wish Ireland and England to be united, and with the blessing of God I will strive with might and main to keep them so. All these transactions are imprinted on the tablet of my memory, that I might make use of them in proper time, that I might be of service to you and of utility in my station, otherwise it would be idle for me to attempt to address you. Gentlemen, you know 1798; you remember how that business was brought about; it commenced in France, then rose corresponding societies in England: clubs, Jacobin meetings, and revolutionary doctrines, were the order of the day. They were not afloat in our island; they took seed and sprung up. The errors in the prosecutions about that period, and the acquittals, in consequence, of men who ought to have been punished, gave courage to the evil-minded. I know there may be some men listening here, perhaps, who do not like all this, and who will state much to my prejudice; but I have not lived so long as not

to know my duty; nor have I been so often in the habit of addressing you, that I should be deterred from saying what I conceived right and good. I see as my auditors a fine body of men, some of whom will, I trust, in time succeed to the situation I now hold; for I hope we shall not be obliged to go to England to get men to fill these arduous situations—for from my soul I believe Ireland and Irish affairs will be best administered by Irishmen; they are my legal friends, and you, too, gentlemen, will find them a good and useful body to consult, if you get into any difficulty; they will judge fairly of me; but I should not be sensible of the duty I owe to my station, nor should I discharge that duty with the dignity that belongs to it, if I was not above such misrepresentations, and if I did not despise them. Perhaps some village fool may throw some mud upon the robes I wear, when I am retiring from the town: this, to be sure, is valiant conduct! this is a noble proceeding! he will not appear face to face, but he fights me behind my back; such conduct I despise, and such villainess will fall off the ermine I wear, like dew-drops from the lion's mane. Gentlemen, go to your chamber."

10. MANCHESTER.—Training to a very serious extent is practised in this neighbourhood. On Sunday the 8th, from 2,000 to 3,000 persons assembled on a hill in the neighbourhood of Middleton, being a kind of muster-day from different places round that town: no arms were used, but they were chiefly exercised in marching, &c. One of the parties had a bugle, which sounded as they passed through Middleton, homewards, on their return from drill. At present no information has been given in a shape to allow the Magistrates to act,

and indeed there will always be a difficulty in their way, from the facility of dispersing on the alarm being given from their scouts. It is expected that the Watch and Ward Act, which comes into operation on Monday next, will be a means of checking, if not of entirely preventing, these practices, which are only carried on in the country, and too remote from the Magistrates or military to enable them to receive the information, and act upon it, before the trainees are dispersed.

11. MR JOHN KEMBLE.—Very little has been heard of this eminent individual, since, about two years that he closed his brilliant professional career. We are sure we shall give pleasure to the public by stating to them the following circumstances respecting Mr Kemble, which we have derived from the very best authority. Mr and Mrs Kemble, for they have no family, have resided for about a twelvemonth past at Toulouse, in the south of France. The climate of this beautiful town is warm, and the air soft and salubrious; so that Mr Kemble's health has been better since he chose it for his abode, than during many years before he left England. The society, also, is elegant and select; many of the less opulent of the French nobility, savans, artists, and others of the politer classes, having chosen Toulouse as their residence, in preference to more fashionable but expensive cities. Here Mr Kemble enjoys his well-earned and honourable leisure in entire conformity with his habits and taste. In the earlier part of the day he employs himself in the cultivation of his literary pursuits, in which he probably finds a more pleasing, though less stirring, enjoyment than in the brilliant exertions he has relinquish-

ed. He passes a few hours in the middle of the day in exercise on horseback or in his carriage; and his evenings are generally spent in those delightful *conversazziones*, which we suspect "they manage 'best in France." Once a week he gives a dinner, after the hospitable fashion of England; which is probably regarded, even by the splendid society into which it has been introduced, as no very barbarous innovation. Mr and Mrs Kemble are at present at Bagnares, romantically situated near the Pyrenees, and distinguished for its baths, but propose to return to Toulouse for the winter. At the latter city, Monsieur Talma and Mademoiselle Georges were performing a few weeks since, and had the honour of the great English actor as their constant auditor during their stay. Upon these occasions, with the politeness of their nation, and the affectionate respect so eminently due to their distinguished visitor, these admirable performers altered the whole of their situations in the scene, in order to address their acting more especially to the box in which Mr Kemble was seated. These particulars, though minute and unimportant, we are sure will be received with pleasure by those whom the talents of this accomplished actor delighted, and who will rejoice to learn, that the honourable tranquillity of his age so well harmonizes with the brilliancy of his long public career. Reckoning the time that has elapsed since his departure, Mr Kemble is expected to be absent about three years from England, during some portion of which period he proposes to visit the classical regions of Italy.

SKELETON OF A WHALE.—A most interesting point in Natural History has occurred in Clackmannanshire. On Monday the 19th ult., while some

workmen were employed in making improvements upon the estate of Airthry, the property of Sir R. Abercromby, Bart. about 300 yards south from the east porter's lodge, which leads to Airthry Castle, they came upon a hard substance, which they supposed to be the trunk of a tree, but which, upon clearing away the earth, they found to be part of the bones or skeleton of some animal of uncommon size. This, from the situation, being close to the Ochil Mountains, and nearly a mile distant from the river Forth, created no common interest; and Sir R. Abercromby, with great promptitude, caused the bones to be carefully sought after, dug up, washed, and deposited in a safe place in his court of offices. The bones are of a size which astonishes every one who has seen them; and are evidently those of a whale of the largest species. They were found at a depth of from eighteen inches to three feet below the surface of the ground, in what is termed alluvial earth, formed by the river Forth, and composed of a blue coloured sludge, with a covering of peat moss a few inches thick. The situation where the bones were dug up naturally refers to a very remote period of time, when the river Forth was here an arm of the sea, extending from the Ochil Mountains on the north, to the rising ground on the Falkirk district on the south; and when the very interesting and picturesque greenstone rocks of Abbey Craig, Stirling Castle, and Craig-forth, formed islands in the midst of deep water. The skeleton was found lying in a diagonal direction, across the line of march betwixt the estates of Airthry and Powis; and it is very probable that the bones adjoining the tail will be found upon digging into the estate of Powis, the property of Edward Alexander, Esq. The

lovers of natural history are under very great obligations to Sir R. Abercromby for the particular care and attention he has paid in preserving these very singular and interesting relics of the animal kingdom. According to the situation of the Roman stations and causeway, at a small distance from where the skeleton was found, it may reasonably be concluded, that the whole was stranded at a period prior to the Christian era.

13. THE PRINCESS OF WALES.—On yesterday se'nnight, Mr Sicard, steward to the Princess of Wales, who, since her departure from this kingdom, has resided at Kensington Palace, received a letter from her Royal Highness, informing him that she was on her way from Pesaro to England, where she expected to arrive in a very short time; and desiring him to communicate to Mr St Leger her wish that he should immediately proceed to Calais, to be in readiness to meet her on her arrival there, and that Miss Garth and Mrs St Leger should repair to Dover, in order to be in readiness to attend her Royal Highness on her landing at that place. The Princess also expressed a wish that her apartments at Kensington Palace should be prepared for her reception. The moment the contents of this letter were made known, the surprise that took place was greater than can well be expressed; and no small degree of confusion and embarrassment prevailed among the present inhabitants of Kensington Palace. A similar surprise was, on the receipt of the intelligence, excited at Carlton-house, and the other Royal Palaces, no individual belonging to which had the slightest intimation that the illustrious personage in question intended so soon to come back to this country. At the time when her Royal

Highness left England; the whole of her furniture was removed from the apartments she had occupied at Kensington Palace; and no idea having been entertained that she intended again to return to them, some of them have since been appropriated to the establishment of their Royal Highnesses the Duke and Duchess of Kent: Under these circumstances it has been concluded, that the idea of affording the Princess an accommodation at her late residence must be altogether abandoned; and we understand that a house, with every suitable convenience, has been provided at Blackheath, and that it will be ready for the reception of her Royal Highness as soon as she reaches that place. The Princess has not yet arrived, but is expected very shortly. Various, and indeed some strange, conjectures have been hazarded as to the motives that could have induced the Princess to revisit a country where nothing any longer remained to excite her interest, nothing to attract her regards, and to which it was supposed she had bade a final adieu.

POISON OF TWO YOUNG LADIES, BY EATING BRIDECAKE.—The following statement is copied from a morning paper, to the editor of which it was sent by a correspondent, who states "his authority to be unquestionable." It will be observed, that no place is specified as to where the horrid transaction, if true, occurred.—"The neighbourhood of this place has been thrown into the greatest consternation imaginable, by an act not more atrocious than it is to be lamented. About five days ago, the daughter of an opulent farmer was married; and upon that occasion bridecake, as is usual, was sent to all the acquaintance and friends of both parties: among others, a portion was sent to a young lady who had been courted by the brother of

the bride, but in consequence of some family matters had rejected his addresses, and she was now upon the eve of marriage to a most deserving young gentleman. The discarded lover, stimulated to revenge, no doubt, by the success of his rival, followed the boy who was sent with the parcel, took it from him, and desired him to return home, saying he would leave it as he passed the house, which was on his way to town, whither he was in the habit of going every evening. He accordingly, in furtherance of his diabolical intentions, went into a druggist's shop, and there purchased a quantity of sugar of lead; whence he went to an inn, and there with a quill scooped out little pieces of the cake, and filled the holes with the poison; at the same time he scraped down the white crust or sugar on the top of the cake, and mingled it with the poisonous substance. The packet was then sent to the young lady, who at that time had a young female friend with her, who was assisting her in her nuptial preparations. On retiring to bed, each of the young ladies ate some of the cake, and in less than twenty minutes after, both were seized with the most violent sensations and pains. The house, of course, was instantly alarmed, and medical assistance sent for; but it came too late; the bride died in the most excruciating agony; the other yet survives, in a pitiable state of delirium, but is not expected to recover. Thus the joy and comfort of several respectable families has been turned into the most painful grief, by the unfortunate and wretched young man, who has just confessed his crime, in feelings apparently awakened to a sense of the enormity of his guilt. He has been committed to prison, to await the result of the Assizes."

CURIOUS ADVENTURE IN THE GRAND

STAND AT YORK.—A singular scene occurred in the stand on Friday last. Just as Lord Fitzwilliam had introduced Prince Leopold to the stand, in which were the Archbishop of York, his daughter, and many of the surrounding nobility and gentry, an attack was made on Mr U——, a gentleman of fortune (who occasionally sports money on racing,) by an elegant and well-dressed female, in terms not so feminine as might have been expected from her appearance. She was accompanied by another young lady of prepossessing appearance, and whose apparent grief excited much sympathy. Every eye was on the females, and the gentleman contrived to get from the stand, followed by the ladies, to both of whom it turned out that he had been lately married. The husband remained *incog.* that night at York, and left by the Highflyer coach. In the meantime the following statement of the affair became public. The gentleman married his first wife between two and three years since, and she had one child, and was far advanced in pregnancy with the other, when a familiarity took place between the husband and the child's maid, who became pregnant also, and on a discovery of it being made, the lady retired to her friends in the West of England, and all attempts on the side of her family and that of Mr U's to reconcile her proved fruitless. He retired into Norfolk, and after a lapse of time he married a second wife, an amiable young lady of the highest respectability, at Yarmouth. The first wife discovered the second marriage, and Mr U. fled, and thought himself in concealment until surprised at York. The ladies traced his departure by the Highflyer coach, and they pursued in a chaise and four to overtake the coach, but the gentleman left it for safety at Greta,

near Stamford, and thus eluded pursuit. This affair was the principal topic of conversation at York.

DESTRUCTIVE FIRE AT ST JOHN'S, NEWFOUNDLAND.—Another extensive and distressing fire has befallen this unfortunate town, and left to us the painful duty of recording its destructive ravages. It was first discovered about 1 o'clock yesterday morning, (July 19.) in or about a house lately occupied by Mr George Garland, but which has been vacant during the last month, and adjoining the dwelling-house of Mr Thomas Williams. The alarm was immediately given, but before any number of people had arrived at the spot the whole building was in a blaze. The wind was westerly, and blowing pretty fresh, which carried the flames to the houses on the opposite side of the lane, and from thence easterly with increased fury. Mr Williams's house soon after caught, and communicated the fire to the dwelling-house and shop of Thomas Mcagher, Sons, and Co., and from thence to the residence of Dr Duggan, on the opposite side of the street, which, with the houses adjoining to the westward, as far as Codner and Tracey's, were laid in ashes. Here, however, the only engine in repair belonging to the town was stationed, and by the judicious management of the people in removing a garden fence on the upper side, and a fence which inclosed Codner and Tracey's yard on the lower side, a break was made, and the strenuous exertions which were used prevented the fire from extending any farther in that direction. In the mean time the devouring element pursued its resistless course to the eastward with lightning-like rapidity. The ordinance engines arrived at an early hour with the military from the gar-

riſon, but the officers in command, finding their utmost exertions would be ineffectual farther up the town, made a stand at the break on the eastern side of Mrs Elliot's, where they were soon joined by a few active individuals of the town, and the troops which arrived last Friday in the transport from Halifax, who immediately came ashore under the direction of Captain Harker, of the 15th. The united and persevering exertions of this party with great difficulty arrested the progress of the flames at this place, and preserved those new buildings recently erected to the eastward, although Mr Renol's house was several times on fire. Those who were employed in directing the pipes of the engines withstood the intense heat and suffocating smoke in a manner so as to excite the admiration of every one who witnessed it. The brands of fire flew through the air to a great distance, some of which, falling on the stores (shops) of J. F. Trimmingham and Co., and Parker, Cheever and Co., set them in a blaze, but were discovered in time to prevent any material injury. The fence in front of the Royal Catholic Chapel was partly burnt down, and the Bishop's house and the chapel were in considerable danger, though eventually no damage was done to either. By five o'clock the fire had pretty well spent its fury, and people had leisure to contemplate the havoc which in four short hours had been made. On going over the ruins, ninety-eight chimneys were found standing, besides several that had fallen down; from which circumstance we have not the least doubt but the houses destroyed were occupied by at least 1,500 inhabitants, and that the loss of property, upon the lowest calculation, may be estimated at about L.150,000.

Those in the immediate neighbourhood had scarcely time to escape with their lives; many more saved but little; while very few, we believe, succeeded in rescuing more than one half of their effects from the flames. The distress occasioned by this fire is calculated to be more general than that produced by either of the former, notwithstanding the loss of property is much less.

•16. DISPERSAL OF THE REFORM MEETING AT MANCHESTER BY A MILITARY FORCE.—This meeting, which has caused such universal anxiety and trepidation throughout the whole of the country, took place this day at Manchester. The place appointed for the meeting was a large vacant piece of ground on the north side of St Peter's Church, which is well known in Manchester by the name of St Peter's Place. About half-past eleven the first body of Reformers arrived on the ground, bearing two banners, each of which was surmounted by a cap of liberty. The first bore upon a white ground the inscription of "Annual Parliaments, and Universal Suffrage;" on the reverse side, "No Corn Laws." The other bore upon a blue ground the same inscription, with the addition of "Vote by Ballot." After these flags had been paraded over the field, for some time, it was thought fit, by the leaders of the party, that they should remain stationary. A post was accordingly assigned to the bearers of them, to which shortly afterwards a dding-cart was brought, into which the standard-bearers were ordered to mount, and from which all the standards arriving afterwards were most appropriately displayed. Numerous large bodies of Reformers continued to arrive from this time till 1 o'clock, from the different towns in the neighbourhood of Manchester,

all with flags, and many of them drawn up five deep, and in regular marching order. A club of female Reformers, amounting in number to about 156, came from Oldham; and another, not quite so numerous, from Rbyton. The first bore a white silk banner, by far the most elegant displayed during the day, inscribed, "*Major Cartwright's Bill, Annual Parliaments, Universal Suffrage, and Vote by Ballot.*" In one compartment of it was Justice, holding the scales in one hand, and a sword in the other; in another, a large eye, which we suppose was impiously intended to represent the eye of Providence. The latter (the females of Royton) bore two red flags, the one inscribed, "*Let us (i. e. women) die like MEN, and not be sold like slaves;*" the other, "*Annual Parliaments and Universal Suffrage.*" The Radicals of Saddleworth brought with them a black flag to the field, on one side of which was inscribed, "*Taxation without representation is unjust and tyrannical; equal representation or death:*" on the other side, "*Union is strength: Unite and be free. Saddleworth and Mosley Union.*" The Reformers from Rochdale and Middleton marched to the sound of the bugle, and in very regular time, closing and expanding their ranks, and marching in ordinary and double quick time, according to the fancy of their leaders. They had two green banners, between which they had hoisted on a red pole a cap of liberty, crowned with leaves of laurel; and bearing the inscription, "*Hunt and Liberty.*" Another band bore a banner, in which Britannia was represented with her trident, leaning on a shield, upon which was inscribed the motto borne by Sir William Wallace, "*God armeth the Patriot.*" In this manner the business of the day" pro-

ceeded till one o'clock, by which time about 80,000 people were assembled on the ground. The Reformers, who had up to this time arrived in the field, demeaned themselves becomingly, though a posse of 300 or 400 constables, with the Boroughreeve at their head, had marched in a body into the field about 12 o'clock, unsupported by any military body to all outward appearance. Not the slightest insult was offered to them. The people did indeed rush to behold them, but this was probably occasioned by an idea that they were another body of reformers. The enthusiasm excited among the crowd by the arrival of the Orator, which took place soon after, was certainly beyond any thing ever before witnessed; and the cheers with which he was hailed were loud and lasting. When he had taken his stand upon the hustings, which were formed of two carts lashed together, and boards spread over them, he expressed considerable disapprobation of the manner in which they were formed, and of the place in which they were situated. This will not excite surprise, when we state, that it was so arranged that the speaker had to talk against the wind; and also, that on Mr Hunt's last appearance at Manchester, the hustings were so slightly built as to yield to the pressure of the superincumbent crowd, though fortunately no accident happened from their giving way. After the different persons who intended to address the multitude had taken their position upon them, and silence had been obtained, Johnson came forward, and proposed that Henry Hunt be appointed their Chairman. Here a short pause ensued, as if Johnson had expected that some person would have come forward to second his proposition. No person,

however, doing so, Johnson proceeded to call upon them to carry the question by acclamation. The meeting did so, and Henry Hunt was declared Chairman, amid cheers of three times three. The noise continuing longer than usual, Hunt found it requisite to entreat his friends to preserve tranquillity. He commenced his address by calling the assembly "gentlemen," but afterwards changed the term to "fellow countrymen." He had occasion, he said, to entreat their indulgence. (*Noise continued.*) Every man wishing to hear, must himself keep silence. (*Laughter, but no silence.*) "Will you," said he, addressing himself to the mob, "be so obliging as not to call silence while the business of the day is proceeding?" (*Silence was then obtained.*) He hoped that they would now exercise the all-powerful right of the people; and if any person would not be quiet, that they would put him down and keep him quiet. (*We will.*) For the honour which they had just conferred upon him, he returned them his most sincere thanks: and for any services which he either had or might render them, all that he asked was, that they would indulge him with a calm and patient attention. It was impossible for him to think, that with the utmost silence he could make himself heard by every member of the numerous and tremendous meeting which he saw assembled before him. If those, however, who were near him were not silent, how could it be expected that those who were at a distance could hear what he should say? (A dead silence now pervaded the multitude.) It was useless for him to recall to their recollection the proceedings of the last ten days in their town; they were all of them acquainted with the cause of the late

meeting being postponed; and it would be therefore superfluous in him to say any thing about it, except, indeed, it were this;—that those who had attempted to put them down by the most malignant exertions had occasioned them to meet that day in more than twofold numbers. They would have perceived, that since the old meeting had been put off, and the present one had been called, though their enemies flattered themselves with having obtained a victory, they showed by their conduct that they had sustained a defeat.” (*Long and loud applause.*) At this stage of the business the Yeomanry Cavalry were seen advancing in a rapid trot to the area: their ranks were in disorder, and on arriving within it, they halted to breathe their horses, and to re-form their ranks. A panic seemed to strike the persons at the outskirts of the meeting, who immediately began to scamper in every direction. After a moment's pause, the cavalry drew their swords, and brandished them fiercely in the air; upon which Hunt and Johnson desired the multitude to give three cheers, to show the military that they were not to be daunted in the discharge of their duty by their unwelcome presence. This they did, upon which Mr Hunt again proceeded. “This was a mere trick to interrupt the proceedings of the meeting: but he trusted that they would all stand firm.” He had scarcely said these words, before the Manchester Yeomanry Cavalry rode into the mob, which gave way before them, and directed their course to the cart from which Hunt was speaking. Not a brickbat was thrown at them—not a pistol was fired during this period: all was quiet and orderly, as if the cavalry had been the friends

of the multitude, and had marched as such into the midst of them. A bugle-man went at their head, then an officer, and then came the whole troop. They wheeled round the waggons till they came in front of them, the people drawing back in every direction on their approach. After they had surrounded them in such a manner as to prevent all escape, the officer who commanded the detachment went up to Mr Hunt, and said, brandishing his sword, “Sir, I have a warrant against you, and arrest you as my prisoner.” Hunt, after exhorting the people to tranquillity in a few words, turned round to the officer, and said, “I willingly surrender myself to any civil officer who will show me his warrant.” Mr Nadin, the chief police officer at Manchester, then came forward and said, “I will arrest you; I have got informations upon oath against you,” or something to that effect. The military officer then proceeded to say, that he had a warrant against Johnson: Johnson also asked for a civil officer, upon which a Mr Andrew came forward, and Hunt and Johnson then leaped from off the waggon, and surrendered themselves to the civil power. Search was then made for Moorhouse and Knight, against whom warrants had also been issued. In the hurry of this transaction, they had by some means or other contrived to make their escape. As soon as Hunt and Johnson had jumped from the waggon, a cry was made by the cavalry, “Have at their flags.” In consequence, they immediately dashed not only at the flags which were in the waggon, but those which were posted among the crowd, cutting indiscriminately to the right and to the left in order to get at them. The

set the people a-running in all directions, and it was not till this act had been committed that any brickbats were hurled at the military. From that moment the Manchester Yeomanry Cavalry lost all command of temper. A person of the name of Saxton, who is, we believe, the editor of the *Manchester Observer*, was standing in the cart. Two privates rode up to him. "There," said one of them, "is that villain, Saxton; do you run him through the body." "No," replied the other, "I had rather not—I leave it to you." In the room into which the persons captured on the hustings had been conveyed, were the Orator, Johnson, Saxton, and some other individuals of minor note, among whom was a woman in a fainting condition. Nadin the constable was also there. Hunt and Johnson both asked him to show them the warrants on which they had been apprehended. This he refused to do, saying that he had information upon oath against them, which was quite sufficient for him. Hunt then called upon the persons present to mark Nadin's refusal. Shortly after this transaction, Mr Hay, the chairman of the Magistrates, came into the apartment, and asked Hunt if he was afraid to go down to the New Bailey; if he was, he himself would accompany him, and look after his safety. Hunt, who had received a slight sabre wound on one of his hands, said, that he should have no objection to the Magistrate's company; he certainly did not like either, a cut from a sabre or a blow from a staff, both of which had been dealt out to him in no small quantity. Mr Hay shortly afterwards went out, having first made a reply to Mr Hunt, which some riot out of doors prevented us from hearing. On casting our eyes at the place where the immense

multitude had lately been assembled, we were surprised in the short space of ten minutes to see it cleared of all its former occupiers, and filled by various troops of military, both horse and foot. Shortly after this had occurred, a Magistrate came into the room, and bade the prisoners prepare to march off to the New Bailey. Hunt was consigned to the custody of Colonel l'Estrange, of the 31st foot, and a detachment of the 15th Hussars; and under his care, he and all the other prisoners, who were each placed between two constables, reached the New Bailey in perfect safety. The staves of two of Hunt's banners were carried in mock procession before him. After these individuals had been committed to the custody of the Governor, they were turned into one common yard, where the events of the day formed the subject of conversation. Knight and Moorhouse, who had been taken a short time after them, were afterwards added to their company. About five o'clock the Magistrates directed the Governor of the prison to lock each of them up in a solitary cell, and to see that they had no communication with each other. This was accordingly done. At three o'clock the soldiers had returned to their quarters, and the town was to all outward appearance once more in a state of tranquillity. At seven o'clock, all was quiet in the town. A report had, however, reached it that there was a serious riot at Oldham, and in consequence some troops of the Chester Yeomanry were sent to quell it. On the road to Stockport, numerous groups of idle men were congregated together along it, and appeared ready for any wicked or desperate purpose. About a mile from that place some hundreds of them were assembled near a petty public house. A new hat, a tea-

kettle, and some other articles of little value, were displayed at the window, as is customary to display the prizes given at wakes or feasts in this part of the country.

The following persons were taken into custody, either on the hustings or in the course of the afternoon:—Henry Hunt, Jos. Johnson, John Tyas*, George Swift, John Thacker Saxton, Robert Wild, Thomas Taylor, Mary Waterworth, Sarah Hargreaves, Eliza Grant, Valentine Faulkner, James Johnson, William Billinge, William Bolton, Edward Perrins, Thomas Kesugh, James Moorhouse, John Knight, Isaac Murray, Thomas Ashton, Thomas Worthington, Abraham Whittaker, William Ashworth, Moses O'Hara, James Makin, Thomas Johnson, John Wild, Anthony Jefferson, &c.

17. MANCHESTER.—This day public tranquillity was in some measure restored in the town, but the Magistrates found it necessary to issue the following placard:—

"To the Inhabitants of the Hundred of Salford."

"It having been proved, upon oath, before the Magistrates, that large bodies of men assemble in various places within the Hundred of Salford, for the purpose of training and practising military exercise, which, in many instances, has been connected with seditious and treasonable purposes, we, the undersigned Magistrates, do declare that such assemblies and practices are contrary to law: and we hereby strictly enjoin all persons hereafter to abstain therefrom.

"And we charge all constables and others, on their allegiance, to

give information of the districts where the practices aforesaid prevail; and against all such as may be concerned therein. Given under our hands, this 17th August 1819.

W. Hulton,	W. Marriott,
W. R. Hay,	W. C. Bagshawe,
R. Wright,	C. W. Ethelstone,
T. Trafford,	J. Silvester,
H. D. Broughton,	R. Fletcher,
W. Tatton,	J. Watkins.

J. Norris,

19. MANCHESTER.—This town is still in a state of considerable agitation. The Hussars have just passed Deansgate, on their way to quell a riot that has taken place at Newcross. The mob have broken the windows of a person called Fletcher, excited, it is said, by a spirited, though not a very humane or prudent, declaration of his wife's, that "she would cut the heart of Hunt in two with as much pleasure as the loaf which she held in her hand." The Watch and Ward Act has been put in execution, and a considerable number of persons, who were wandering about the streets from the neighbouring townships, have been apprehended under it, by the police, and lodged in the New Bailey prison. With regard to the chief demagogue and his friends, who by calling the meeting gave occasion to the mischief, there can only be one opinion. "But there is another party concerned, from whom their country will expect an account. The Magistrates and the local authorities have incurred an awful responsibility; and their conduct, which is loudly praised by one portion of their fellow-citizens, and as loudly condemned by another, must become the subject of solemn

* Mr Tyas attended the Manchester Meeting as reporter for the Times newspaper. As soon as the Magistrates were made acquainted with the circumstances under which his arrest had taken place, they immediately ordered his release, expressing in very polite terms their regret for the inconvenience to which he had been subjected.

examination and impartial decision. With numbers formidable if disposed to riot, but engaged in no riot, the meeting occupied the open space behind St Peter's-church, waiting their leader, and the commencement of the day's business, when in an outskirt of the ground a little past 12 o'clock the magistrates ordered the Riot-Act to be read, looking at their watches that they might comply with the clause that requires the interval of an hour between the reading and the enforcing of it. Few or none of the crowd who surrounded the hustings heard of the Riot-Act being read, or observed any thing that indicated a command to disperse. When the Riot Act was read, and for nearly an hour afterwards, Hunt was not arrived. Neither he nor the immense crowd that accompanied him heard of a command to disperse. If the foresight of the Magistrates was so great as to enable them to declare a riot act *in posse*, why not communicate that to the crowd, to prevent bloodshed? The authorities seemed, indeed, to have had a presentiment of disturbance. They had ordered the ground to be cleared of stones and bricks some days previous to the meeting, that there might be no missiles with which to assail the military. On the morning of Monday, all the lamps (which are public property) were taken down in Windmill-street, that they might not be broken. Whatever be the crime or the guilt of the demagogue, however, it was lucky for him, if he escapes conviction, that he was apprehended by Nadin. Had the constable been many minutes later in seizing him, he would have been cut down by the sabres of the Yeomanry. The party of cavalry that charged first was the Manchester and Salford, about 120 strong; the next was the Cheshire Yeoman-

ry Cavalry, about 500 strong; and the last the 15th Hussars. There seemed to be no plan or arrangement by which the civil power was to act with and control the military. The Cheshire regiment, for instance, broke through the line of constables and killed one of them, (the landlord of the Bull's Head,) whose funeral takes place to-morrow. The Manchester troop is composed of a greater proportion of substitutes than of respectable merchants or manufacturers. It has been made a question here, whether the Yeomanry or the Hussars conducted themselves with the greatest forbearance. The Reformers, as might be expected, decide in favour of the regular force. The other part of the inhabitants contend, on the contrary, that the Hussars would have done more execution had they been placed in the same circumstances, and account for their violent disposition against the Reformers from the daily insults which they are in the habit of receiving from the rabble, if they are seen straggling individually, or are met in the public-houses. The declaration of impartial persons, however, is, that the Hussars behaved with great comparative coolness and moderation. The constables, who suffered nearly as much as the rest of the multitude, from a perfect want of system and plan, showed in many instances a savage spirit of malice and revenge. Of the numbers that composed the meeting, no certain information can be obtained. The area which they occupied is an irregular square, bounded on one side by Windmill Street, or rather a range of buildings, having the Quakers' Meeting-house and burial ground opposite; and by Mount Street, and a house in an inclosure called Mr Brown's cottage, by the end of which is seen St. Peter's

Church, having on the opposite side a passage into Deansgate, the New Jerusalem Chapel, and other buildings. This space measures more than 500 feet by 300. The numbers collected in it could not fall short of 30 or 40,000. The principal passages leading out of it are by Deansgate and St Peter's Church. From their being hemmed in on one side by the military, and from the narrowness of the other egress, the crowds could not escape, but were trodden down or heaped upon each other like corn in a field. The consternation and the confusion that followed the charge, the dreadful screams and piercing shrieks of trampled wretches of all ages and sexes, can scarcely be conceived. It is surprising that the carnage should be so trifling. The number of killed whose deaths are ascertained is just five; and the number of wounded who have been carried to the infirmary, or placed under the medical men of that establishment, amounts only to 60.

20: MANCHESTER.—This day the chief characters who had distinguished themselves upon the hustings near St Peter's Church, on Monday last, were separately brought up before the magistrates, when Mr Norris addressed them all to the same effect, nearly in the following terms: Hunt was brought up first:—"Henry Hunt—The evidence for the prosecution upon the charge to be

brought against you is now ready to be gone into; but evidence of a much more important and serious nature has gone before his Majesty's law officers; and it is the unanimous opinion of the Magistrates, that it is their duty to detain you here upon a charge of high treason, and you are remanded accordingly." Hunt to the Magistrates.—"May I be allowed to speak?" "No."—Hunt then prepared to go below, but returned and said, "I am innocent of this charge." Johnson next appearing, received the same intimation, and retired without a remark. Saxton, after he was addressed, inquired,—"Am I to consider myself finally committed?"—"You are remanded for further examination." Knight withdrew from the bar with evident apathy, not uttering a syllable. Moorhouse exclaimed, "I presume it's my hat*, and not me: I consider myself"—"Take him down." Robert Jones appeared, and being questioned, stated, that he was an engineer by trade, but at present a rag-merchant. Robert Wild, upon an inquiry from the Magistrates, replied he came from Stayley-bridge, and had a father there. Elizabeth Gaunt and Sarah Hargreaves received a similar communication with the rest: upon retiring the former courtied. There are many other prisoners in the New Bailey, accused of rioting, assaults, and other less flagrant crimes.

Hunt, Johnson, and Moorhouse, wore drab-beaver hats upon the eventful day in question.

The following are the names and conditions of those persons who were taken to the Infirmary in the course of Monday and Tuesday; and we feel pleasure in stating that they have expressed the greatest thankfulness

at receiving the benefits of an institution where kindness and medical skill united are always at the service of the poor, let their conduct in life have been ever so ungrateful:—

FROM THE INFIRMARY.

Names.	Residence.	Hurt received.	Remarks.
John Wrigley, -----	Warrington, -----	Fractured ribs; much bruised.	
John Mellor, -----	Burslem, -----	Slight, -----	O. P.
James Lees, -----	Saddleworth, -----	Slight, -----	O. P.
Wm. Taylor, -----	Middleton, -----	Sabre wound on the head.	
Wm. Robinson, -----	Salford, -----	Confusion, -----	Cured.
Edmund Dawson, -----	Saddleworth, -----	Sabre wound on the head.	
Owen M'Cape, -----	Near Bury, -----	Fractured ribs; not dangerous.	
Ed. Lannoway, -----	Manchester, -----	Contusion; not dangerous.	
Benjamin Seed, -----	Manchester, -----	Fractured thigh.	
Tho. Haywood, -----	Pendleton, -----	Fractured ribs and contusion.	
John Schofield, -----	Oldham, -----	Slight, -----	Cured.
Ed. Lancaster, -----	Manchester, -----	Slight, -----	O. P.
Thos. Blinston, -----	Manchester, -----	Both arms fractured.	
Rob. Ratcliff, -----	Stockport, -----	Bruised leg, -----	O. P.
John Bridge, -----	Near Bury, -----	Much bruised.	
J. Whitworth, -----	Hyde, -----	Shot in the head; since dead, -----	} New. cross.
James Jackson, -----	Ardwick, -----	Two shots in the thigh, -----	
Sam. Jackson, -----	Salford, -----	Shot in the leg; amputated, -----	
Robert Campbell, *	Manchester, -----	Dangerous.	
J. Ferguson, †	Manchester, -----	Shot.	
John Ashton, -----	Oldham, -----	Dead.	
Harriet Bowers, -----	Manchester, -----	Contusion, -----	O. P.
Mar. Whittaker, -----	Manchester, -----	Very much bruised.	
Ann Barlow, -----	Oldham, -----	Fractured ribs, and much bruised.	
Eliz. Newby, -----	Manchester, -----	Contused ancle.	
Margaret Booth, -----	Manchester, -----	Contusion.	
Betty Nield, -----	Manchester, -----	Bruised; not dangerous.	
Nancy Jackson, -----	Chatterton, -----	Broken arm; very bad.	
Ann Roberts, -----	Manchester, -----	Slight, -----	Cured.
Abigail Jackson, -----	Manchester, -----	Fractured ribs, and much contused.	

The persons to whose names O. P. is affixed were admitted in-patients, but have since been made out-patients.

N. B. Of forty out-patients who applied during Monday and Tuesday, (the 16th and 17th) and were dressed, by far the greater part were hurt by falls, from being rode down and

crushed. There appear to have been few instances of sabre wounds amongst this class of patients.

21. THANKS OF THE PRINCE REGENT TO THE MAGISTRATES AND YEOMANRY OF MANCHESTER. — *Whitehall, August 21.*—My Lord; Having laid before the Prince Regent the accounts transmitted to me

* This person, a special constable, was dreadfully abused by the mob.

† Struck by a spent ball, as he was going to his work.

from Manchester of the proceedings at that place on Monday last, I have been commanded by his Royal Highness to request that your Lordship will express to the Magistrates of the county palatine of Lancaster, who attended on that day, the great satisfaction derived by his Royal Highness from their prompt, decisive, and efficient measures for the preservation of the public tranquillity; and likewise that your Lordship will communicate to Major Trafford his Royal Highness's high approbation of the support and assistance to the civil power afforded on that occasion by himself and the officers, non-commissioned officers, and privates, serving under his command. I have the honour, &c.

(Signed) SIDMOUTH.

To the Earl of Derby, &c. &c. &c.
Knowsley.

N. B. A similar letter was addressed to Lord Stamford, respecting the Cheshire Magistrates and Yeomanry.

22. SIR F. BURDETT'S LETTER TO THE ELECTORS OF WESTMINSTER, RELATIVE TO THE PROCEEDINGS AT MANCHESTER ON MONDAY THE 16TH.—Gentlemen; On reading the newspapers this morning, having arrived late yesterday evening, I was filled with shame, grief, and indignation, at the account of the blood spilled at Manchester. This, then, is the answer of the boroughmongers to the petitioning people,—this is the practical proof of our standing in no need of reform,—these the practical blessings of our glorious boroughmongers' domination,—this the use of a standing army in time of peace. It seems our fathers were not such fools as some would make us believe, in opposing the establishment of a standing army, and sending King William's Dutch Guards out of the country. Yet, would to Heaven they had been Dutchmen, or Switzers, or Hes-

sians, or Hanoverians, or any thing rather than Englishmen, who have done such deeds. What I kill men unarmed, unresisting, and, gracious God! women too; disfigured, maimed, cut down, and trampled on by dragoons! Is this England? This a Christian land? A land of freedom? Can such things be, and pass by us like a summer cloud, unheeded? Forbid it, every drop of English blood in every vein that does not proclaim its owner bastard. Will the gentlemen of England support, or wink at such proceedings? They have a great stake in their country; they hold great estates, and they are bound in duty and in honour to consider them as retaining fees on the part of their country, for upholding its rights and liberties: surely they will at length awake, and find they have duties to perform. They never can stand tamely by, as lookers on, whilst bloody Neros rip open their mother's womb; they must join the general voice, loudly demanding justice and redress; and head public meetings throughout the United Kingdom, to put a stop, in its commencement, to a reign of terror and of blood; to afford consolation, as far as it can be afforded, and legal redress, to the widows and orphans—mutilated victims of this unparalleled and barbarous outrage. For this purpose I propose that a meeting should be called in Westminster, which the gentlemen of the committee will arrange, and whose summons I will hold myself in readiness to attend. Whether the penalty of our meeting will be death by military execution I know not; but this I know, a man can die but once, and never better than in vindicating the laws and liberties of his country. Excuse this hasty address. I can scarcely tell what I have written; it may be a libel, or the Attorney-Ge-

neral may call it one, just as he pleases. When the seven Bishops were tried for libel, the army of James II., then encamped on Hounslow-heath for supporting arbitrary power, gave three cheers on hearing of their acquittal. The King, startled at the noise, asked, What's that? Nothing, Sir, was the answer, but the soldiers shouting at the acquittal of the seven Bishops. Do ye call that nothing? replied the misgiving tyrant; and shortly after abdicated the Government. 'Tis true, James could not inflict the torture on his soldiers,—could not tear the living flesh from their bones with the cat-o'-nine-tails,—could not flay them alive. Be this as it may, our duty is to meet; and England expects every man to do his duty. I remain, Gentlemen, most truly and faithfully, your most obedient servant,

(Signed) F. BURDETT.

Kirby-park, August 22.

25. This day Professor Leslie was unanimously elected successor to the late venerated Professor John Playfair, in the chair of Natural Philosophy in the University of Edinburgh. Mr Wallace succeeds Mr Leslie in the Mathematics. The candidates for the latter chair, besides Mr Wallace, were Dr Haldane of St Andrew's, and Mr Babbage of Cambridge. The manner in which these academical preferments have been disposed of, reflects the highest credit on the discrimination and impartiality of the honourable patrons.

PROSECUTION OF SIR FRANCIS BURDETT.—A message was sent on Wednesday afternoon to Mr Brooks, of the Strand, the Secretary of the Westminster Committee, desiring his immediate attendance at the office of the Home Department. Mr Brooks accordingly repaired thither, and was introduced into a room, where he found Lord Sidmouth, the

Chancellor of the Exchequer, and some other Members of the Administration, seated in consultation. The Attorney-General was present. The Attorney-General.—Mr Brooks, we have sent for you in consequence of a letter which has appeared in the public papers relative to the late transactions at Manchester, signed "Francis Burdett." Was it to you that letter was addressed? Mr Brooks.—Yes. Attorney-General.—Have you got the original letter? Mr Brooks.—May I be permitted to ask the purpose of the inquiry? The Attorney-General.—The letter is a seditious libel, and our purpose is to prosecute. Will you give it up to us? Mr Brooks.—I am not at the present moment prepared to say whether I will or not. I should like a little time to advise on the subject. The Council consulted together. Attorney-General.—Will you be prepared to give an answer to-morrow? Mr Brooks.—I should like to have till Friday. Attorney-General.—Well, on Friday, Mr Brooks, we shall expect your answer. Mr Brooks then withdrew.

27. MANCHESTER: FINAL EXAMINATION OF HUNT, JOHNSON, MOORHOUSE, AND THE OTHER PRISONERS CONFINED ON A CHARGE OF HIGH TREASON; THE ABANDONMENT OF THE CHARGE, AND THEIR COMMITMENT FOR TRIAL FOR A MISDEMEANOUR.—This being understood for nearly a week to be the day on which the determination of Government, regarding the charge against Hunt and his fellow-prisoners, should be announced to them from the Bench, and their final examination entered upon, a considerable crowd collected near the New Bailey as early as ten o'clock. A strong party of soldiers had previously been admitted at the gate of the prison, and a guard appointed without. The civil

power thinking they saw some tendency to tumult in the immense body that surrounded the doors, requested that the military might be at their post, ready to afford assistance in case of danger. Accordingly, some of the officers of the Hussars of the 31st and 88th, who had taken their places in the jury-box, eager to hear the examination of persons who have of late commanded so much attention, were called out and ordered on more active duty. The shouts of the multitude were sometimes heard in Court, but from the very efficient force ready to repress any tendency to riot, no impression of danger was felt. Mr Pearson, the solicitor for the prisoners, had taken his station immediately before the dock, with a law-book under his arm, but was not known or recognised by those around him till called out of Court at half-past twelve by Mr Norris, the stipendiary magistrate of Manchester. At a quarter past one, the Magistrates entered the Court, and an agitation of interest and curiosity took place for the approaching business. Only six occupied the bench. The solicitor for the Crown, Mr Bouchier, took his place at the table immediately below the Chairman. Mr Pearson, the prisoners' solicitor, was now likewise accommodated with a place at the table to be near his clients. The prisoners were then ordered to be brought up, and soon appeared in the dock. Mr Hunt appeared first, and the rest in succession, till the space allotted them was so crowded, that they pressed upon and jostled one another. Their names were called over, and answered to in the following order:—Henry Hunt, Joseph Johnson, J. T. Saxton, John Knight, James Moorhouse, Samuel Bamford, John Healey, George Swift, Thomas Taylor, Robert Wilde,

and Elizabeth Gaunt. Hunt's deportment was extremely courteous. His propriety of demeanour, his perfectly unembarrassed manner, the decency of his dress, and the whole of his external appearance, formed a strange contrast with the shabbiness of some and the vulgar insolence of others of his fellow-prisoners. The Chairman then addressed the prisoners to the following effect: "Henry Hunt, Joseph Johnson, and you all, severally, whose names have been read over when you were last called up into this Court, you were remanded on a charge of high treason: on remanding you, you were informed that the whole of the evidence had been sent up to London, to be laid before the law officers of the Crown, and in the mean time you were to be detained. It was not until this morning that a communication was made from Government, stating that the law officers of the Crown had for the present abandoned the higher charge. That communication was not made to me; yet there is a gentleman present (Mr Bouchier) who has come with orders to proceed upon a less charge. The charge of high treason is not yet abandoned, but Government proceeds now against you for a minor offence." Mr Hunt.—Is the charge of murder then abandoned? I understood from a magistrate I was remanded until the coroner's inquest had sat, on a charge of murder as well as treason. Mr Hulton, from the Bench, said,—I did not tell you so. Moorhouse.—This then turns out to be a farce. Mr Norris.—Moorhouse, I shall feel it my duty to remand you, unless you conduct yourself properly.—Mr Milne, the clerk to the magistrates, then called over the names of the witnesses, whose written depositions he held. The prisoners were requested to attend

to the depositions, and told they had an opportunity of questioning the witnesses concerning them. On putting the book into the hand of the first, Hunt desired he might be examined alone, and the rest ordered to leave the Court. Mr Bouchier said, he should not object to this. The first witness whose deposition was proposed to be read was John Shawcross, clerk to the police. Mr Hunt asked his name, and demanded that he might be examined in open court before he heard his former deposition read. The Magistrates objected to this demand, and overruled it. The deposition was read. This witness deposed to having purchased at the Observer-office, on the 31st of July last, a paper called the Observer, containing a notice of the first intended meeting of the 9th of August. The advertisement for the second meeting on the 16th was likewise read, with the omission of the names of the requisitionists. The deposition continued that these papers were extensively circulated in Manchester; the well-known prohibition of the first meeting. This was the whole of the evidence of Shawcross. Hunt.—Have I now the liberty of examining the witness? Chairman.—Yes, certainly. Hunt to the witness.—Where is your residence? Witness.—No. 4. Blossom-street, Salford. Hunt.—What is your profession, Sir? Witness.—I am clerk to the Police-office. Hunt.—Have you any other employment? Witness.—No. Hunt.—You purchased these newspapers, did you? Witness.—Yes. Hunt.—What is the date of the first? Witness.—The 31st of July. Hunt.—Do you know who inserted these advertisements in these papers? The Chairman here interfered, and said that this was not evidence. Hunt.—Who urged you to pur-

chase the paper? The Chairman again interfered, and protected the witness from answering the question. Hunt.—Then am I to understand that the witness is not allowed to answer the question? Chairman.—The Court does not think it relevant, and will not allow the witness to answer it. Hunt.—You purchased the other paper of the 14th August? The witness was not allowed to answer the question. Hunt.—Your name is on each of the papers. Who directed you to put your name there? The Court again interfered, and would not allow the witness to answer the question. Johnson, one of the prisoners, to the witness.—Do you take in these papers regularly, or did you purchase these papers for any particular purpose? The witness was not allowed to answer the question, the Bench declaring, through its Chairman, that it was sufficient for him to state that he had purchased it, and marked it with his name. Matthew Cowper's, another witness's deposition, was then read at the table. He deposed to the nature of the meeting, gave a history of the proceedings, and produced his notes of the commencement of a speech purporting to be Mr Hunt's. When the deposition had been read, the witness who swore it was examined by Mr Hunt. Hunt.—Where do you reside, Sir? Witness.—In Manchester. Hunt.—Would you favour me with your particular address? The Bench, through its Chairman, again interfered, and would not allow the witness to answer the question. It was sufficient for the witness to declare that he lived in Manchester. Hunt.—I demand, as an act of justice, to know the residence of this man. It will be observed, that he is a very material witness, and that his evidence

may deeply affect us all. I am entitled to know where to find him, that if, after the trial of the question, it shall be found there was no ground for this charge? I may have my remedy against him by prosecuting him for perjury, or obtaining redress in some other way. I demand therefore as a right, to know his residence. The magistrates consulted for a minute, and then decided against complying with his demand through their Chairman, who said that there was no use for Mr Hunt to employ intimidating language; it was not necessary to reiterate the word *demand*, to obtain that justice to which every British subject was entitled, and which might be obtained by a simple request. Mr Hunt begged leave to reply to the observations of the Chairman. Chairman.—The Court will not be replied to. Hunt.—I was merely going to state, that I had no intention of offering any insult to the Court. Chairman.—The Court takes it for granted that you did not, and requires no apology. Hunt again began with stating—I offered no insult to the Court; when the witness refused to answer the question, I appealed to the Court, and requested that he might be ordered to answer. I put this question in the shape of a demand, because I will accept of nothing as a favour. (Then addressing himself to the witness,)—Now, of what profession are you? Witness.—I am called an accountant. Hunt.—Is that your only occupation? Chairman to witness.—Don't answer that question. Hunt.—Were you a special constable on Monday the 16th at the meeting? Chairman to witness.—Don't answer that question. Hunt, with great vehemence and apparent surprise.—Not answer that question! Have you any other employment than that of an account-

ant? Are you not sometimes employed as a short-hand writer? Witness.—I sometimes take reports of speeches. Hunt.—For the public newspapers, or for your own private amusement? Chairman, to witness.—Don't answer that question. Hunt.—Then you say that you took my speech on the day of the meeting; did you take it in short-hand, or otherwise? Witness.—I took extracts from it on the ground, and afterwards wrote it out at length. I took only the leading words. I do not mean to swear to all the words. Hunt.—Are you sure that you did not misplace the words, putting some of them which you had in one sentence in another? Witness replied in the negative. Hunt.—How did you make out the remainder of the speech from these extracts and leading words of yours? Witness.—I filled it up from memory? Hunt.—When did you write out this speech from memory? Witness.—In the evening. Hunt.—At what time was it delivered? Witness.—About one o'clock. Hunt.—At what hour, then, did you reduce your short notes into long sentences? Witness.—About five o'clock at night. Hunt.—Be so good as to state how you were employed in the interval. The Chairman here interfered, and would not allow the witness to answer the question. Hunt remarked with considerable asperity on this interference, saying that it was extremely important that an answer should be obtained. The witness had stated, that a very considerable interval had intervened between the delivery of the speech and the preparation of his version of it; and that in the mean time he had intrusted a considerable part of it to his memory. The retentiveness of his memory would of course be affected by the importance of the other

events in which he had been engaged, and therefore it was but just that he should state how he had been employed. The Court overruled this demand. Hunt.—You state that you saw certain flags and colours, and that there was one of them with a bloody dagger; now, what else was there besides the bloody dagger? Witness.—I observed nothing else. Hunt.—Did you observe no figure of Justice, with the scales in one hand, and a dagger, which you call a bloody dagger, in the other? Witness replied in the negative. Hunt.—Well, will you swear that there was nothing else? Witness said that he could not swear to there being nothing else. Hunt.—Now, you said that you saw military array; what do you mean by military array? Witness.—Why, I mean people marching in regular order, as regiments march. Hunt.—Have you no benefit societies in Manchester? and have you not Orange clubs in Manchester? Witness.—I never heard that there were Orange clubs in Manchester. Hunt.—Have you not seen them marching in regular order? The Court here interfered, and declared the question irrelevant. Hunt.—You stated that the sticks you saw in the hands of the persons who came to the meeting were more like thrashing-flails than walking sticks; pray what do you mean by a flail? and what is the difference between it and a walking stick? The magistrate here interfered, and prevented the witness from answering the question.

The deposition of another witness, Richard Owen, a pawnbroker, was then read. The witness then appeared to be examined on his deposition. Hunt.—Where did you make this deposition? Witness.—On the field. The Clerk here interfered to correct the witness, and

was supported by the Chairman, telling him that he could not have sworn it on the field. Hunt objected, in an animated manner, to this interference. “I want the answer of the witness from himself, and not from you. You are interfering, to correct him, and to set him right in a matter which he had already sworn.” The Chairman endeavoured to explain, and to show that the witness must have misapprehended the question. Mr Hunt bowed to the Court, and continued his examination.—You said you made this deposition on the field? Witness.—Yes; I made the first part of it on the field. I swore on the field that I saw you entering it in a carriage. Hunt.—Did you swear that you saw nothing more than my entering it in a carriage? Witness.—I swore that the town was in alarm, and that the meeting ought to be put a stop to. Hunt.—You did not swear the whole of this deposition then? The magistrates here interfered, and said that it was not at all necessary for the witness to say when the deposition was first sworn, as it was supposed to be sworn to now. The Chairman at the same time desired that the deposition might be read over a second time. Hunt.—No. I strongly object to the refreshing of the witness's memory. Chairman.—The Court intended it as a favour to you. Hunt.—Oh, my memory is very good; I seldom find that it fails me. I beg that on the present occasion I may not be indulged: (then addressing the witness) —Did you not say that the men came in military array on your first deposition? Witness.—No, I did not observe it. Hunt.—You were so much alarmed that you did not then state it to the magistrates? The Court again interfered. Hunt.—When did it oc-

cur to you to state these facts upon oath? Witness refused to answer this question. Hunt appealed to the Bench, saying, "Here is a witness who refuses to answer a material question; what shall I do with him?" The Court decided that witness was not bound to answer the question.—Did you see me in the car? Witness would not answer the question. Hunt.—What do you mean by "military array?" Witness.—I mean marching order, with flags flying and music playing? Hunt.—How? Does one man walking after another make military array? Did these people observe the lock-step? Witness did not know what the lock-step was. Saxton here put a material question to the witness. Hunt.—Were you alarmed? Witness replied in the affirmative. Hunt.—Were other persons alarmed? Witness.—Yes. Hunt.—Would you mention who they were? The witness was not allowed to answer this question. Hunt.—Had these imaginary soldiers any muskets? Witness.—No; they had things nearly as large as muskets. Hunt.—What did they do with them? Witness did not observe any thing particular. Hunt.—Did they shoulder their clubs? Witness.—No; I observed 'no shouldering. Hunt.—Mark down that, Mr Pearson; that is very important. Saxton asked if he should know the man who desired the multitude to keep their enemies out. The witness replied in the negative. Saxton.—When was it? was it before Mr Hunt came to the field? Witness.—Yes, it was. One of the prisoners.—Did you observe Mr Hunt speak to any of the parties who, as you said, were marching in military array? Witness.—No, I did not.

The deposition of James Olatt, constable, was then read over.

Hunt.—What are you? Witness.—A constable and a beadle. Hunt.—Do you earn your livelihood in that way? Witness answered in the affirmative. Hunt.—Did you observe any clubs shouldered? Witness.—No, I observed none. Hunt.—Did you observe any insult offered to any person by the marching parties? Witness.—No, I neither saw nor heard of any. Bamford asked him questions of some consequence as they affected himself:—Did you see me upon the hustings?—Yes, was the reply. Bamford.—Nowhere else?—No, admitted the witness.

The deposition of Robert Derbyshire the younger was then read. Mr Hunt.—Are you a constable? Did you see the people advancing in military array? Witness said he observed them coming, but did not notice their array. Hunt.—Did you run to the magistrates and express your alarm at the state of the meeting? Witness.—No, I had seen similar meetings before. Swift.—You say that you heard me address the meeting; what did I say? Witness.—You said, "Fall back, league firm together, and keep your enemies off." Hunt.—Did you see the Yeomanry Cavalry come in at this time? The witness was desired not to answer the question. Moorhouse.—Did you see me on the hustings? Witness.—Yes. Moorhouse.—Mark down that, Mr Pearson.

John Barlow, another witness, deposed to the presence of Elizabeth Gaunt upon the cart. Hunt.—When did you sign that deposition? Witness.—This forenoon. Hunt.—Did you know you were signing a deposition? Witness.—Yes. Hunt.—Who wrote it? Witness was desired not to answer the question. Hunt.—Did you see Mrs Gaunt commit any offence? Witness.—No, I only took

her out of the carriage? she was then fainting. Hunt.—How could you allow her to go and be treated in the cruel manner she was? Witness.—Other constables came up and took her from me. The prisoner then gave her own statement. She said that she was amongst the crowd at the meeting; that in the confusion some one had put her into Hunt's carriage, but she did not know who put her there; she had no right to be in the coach, but was put in by two persons for safety. She fainted away, and when she came to herself she found that she had got a blow. She threw herself afterwards into a private house, and remained there for some time, and might have got away had she chosen, or had she apprehended that she was committing any thing illegal. The Solicitor of the Crown said, that as the evidence was very slight against the prisoner, he would not press her prosecution. The Chairman announced this circumstance to the prisoner; and stated to her, that as the prosecutor determined to bring no evidence against her, the Court had great pleasure in ordering her immediate discharge. This was the whole of the evidence for the prosecution.

Hunt, then addressing the Bench, spoke to the following effect:—"I know that I am now addressing the same magistrates who took the first depositions, and issued the warrants against me; but after that evidence, and the amended evidence has been read, it is for them, sitting in the situation which they now occupy, to administer justice. I hope, and do not doubt, they will dismiss from their minds all prejudice, and act upon the evidence. They had heard the various depositions which had just been read, and the answers of the witnesses who had been subject-

ed to examination in open court. It would be observed, that they all agreed in certain points, but differed very materially in others; and that when examined regarding the import of words, their meaning was far from being precise or clear. Some witnesses say that those bodies which came from the country came in military array, but they could not explain what they meant by military array; they could not state whether they marched in slow or quick time, or whether they possessed the characteristic of a military march. Some say they came with sticks. One says they were so far in military array as to have clubs at their left breasts, similar to muskets; another witness as positively denied his observation of the circumstance; but all agree that none of them did any act to intimidate or offend. Can the magistrates say we should be committed on such evidence for a misdemeanour, after eleven days' solitary confinement? Is not this a sufficient punishment for any offence that we may have committed? They should consider, that the eyes of all England were fixed upon this matter, and waited with anxiety its termination. It has gone far enough, and ought here to end: I ask nothing for my past sufferings; I demand no redress for the treatment I have endured; I stand here to ask, whether you will allow agitation in the public mind still to go on, or allay it by removing the cause? With the most perfect conviction that I have acted rightly, I am yet doubtful of others entertaining that conviction. The country is doubtless in an agitated state, and will be so till this question is settled. Are you on such evidence prepared to send us back to solitary confinement? (The chairman said, No.) One of you now on

the bench accused me of murder; another of the magistrates, whom I do not now see, told me that the guilt of all the blood which was shed would lie at my door: After thus being held up as a murderer and a traitor, after being remanded on a charge of high treason, without a shadow or pretence of evidence to support it, I appeal to you to lay aside all private feeling, to forget, as far as you can, the scenes in which you have acted, and to say whether we are guilty of any offence, or, if we are, whether we have not suffered enough. I cannot forget that I have been remanded on a charge of high treason; I cannot forget that I expected to have stood here to-day on that most serious charge: it has, however, been abandoned, and I submit to you, whether there be any tittle of evidence to support the charge of conspiracy. Many of these prisoners, who are accused of having joined with me, I never saw till I saw them in this box.* I admit that many of them, as well as myself, attended the meeting for the purpose of taking part in its proceedings. I admit that I attended it to conduct those proceedings, believing that they were perfectly legal. I considered myself then as performing a necessary but a painful duty. I had before carried applications made at similar meetings to the Secretary of State, for the purpose of being laid before his Royal Highness. To some of these applications I had an answer from the Prince Regent himself through the medium of his Ministers, and to none of them was it objected that the meeting was illegal at which it was voted. One of these applications was the very paper which was to have been submitted to the meeting of the 16th. I did not attempt to follow, nor was it the opinion of those who took

part in the proceedings of the meeting that we ought to attempt to follow, the example set by Birmingham in the election of a representative. I had written to Mr Johnson to this effect long before the intended meeting was prohibited in Manchester: the Royal Proclamation had declared it illegal, and though I did not think it illegal, I thought it a foolish and absurd scheme. It was my opinion, that to follow such an example at such a time would have been unjust to the people of Manchester; that an election should not have been proceeded in till its inhabitants had three months' notice. I have declared that I would not have put such a question as Chairman, long before the first meeting was prohibited. I could bring testimony in support of this assertion of as respectable men as are to be found in Manchester: private letters with postmarks, which could not be falsified, can be produced as evidence of the same fact: the resolutions which were intended to be voted at the meeting of the 16th would have removed all doubt on this subject: they, indeed, I have been told, have been lost in the confusion which ensued; but the most respectable persons can be brought forward, who will prove that it was intended first to pass a strong vote of censure for refusing to present the petitions of Manchester and Stockport; and then to make a solemn appeal to his Royal Highness the Prince Regent on the distressed state of the country, and on the necessity of immediately reviving the connexion between the people and the throne. I cannot trust my feelings with the description of what occurred afterwards in the dispersion of the meeting: it would be much better if the transactions of that day were forever buried in oblivion, and blotted

from the history of our country. But I ask you, will you commit upon such evidence as that which you have heard? I must say I suffered much bodily pain from the blows from the batons of the constables, and the sabres of the Yeomanry. They are visible. I scorned to tell the Doctor of it. My health certainly has been preserved, instead of being injured, by my apprehension and confinement: the exertions I should have made, and the anxiety I should have felt, to conduct the proceedings, and to preserve the order of that meeting, would have affected me for years. Since my confinement I have slept on a bed which I would not have put under my servants: but I thank God," said he, "with great fervour, that I have slept soundly; and if I have suffered any thing, it has been from commiserating the state of my fellow prisoners, and from the recollection of those poor mangled creatures who have been cut to death."

The Magistrates then withdrew. Mr Bouchier was shortly afterwards going towards the Magistrates' room. Hunt said to him, I hope you are not going to the Magistrates unless my solicitor goes. The solicitor said, No. Ah, rejoined Hunt significantly, you have been there already. On their return Mr Norris said—"Henry Hunt, and you all: we sent for Mr Bouchier in order that we might again carefully peruse the depositions. It is a most painful duty to me to commit you for a conspiracy. We can, however, lay our hands on our hearts and say, 'We have done our duty.' As to the charge of conspiracy, though you might not all have been together previous to the meeting, yet in the eye of the law, all those who commit separate acts, tending to one illegal object, are guilty of that crime.

Coupling the two meetings together, taking into consideration the manner in which the last was assembled, with such insignia and in such a manner, with the *black flag*, the *bloody dagger*, with 'Equal representation or death,' it is clear they came in a threatening manner—they came under the banners of death, thereby showing they meant to overturn the Government. There could be no free discussion where that flag was unfurled. The charge now is, "that of having conspired to alter the law by force and threats." It is an illegal matter, and sufficiently made out, and calls upon us imperatively to commit you for trial by a proper Jury. It is now our painful duty to commit you to Lancaster Castle. On account of the seriousness of the charge, we shall require you, Henry Hunt and Joseph Johnson, to give bail yourselves in L.1,000, and two sureties in L.500 each; and all the others, themselves in L.500, and two sureties in L.250 each." The prisoners then left the bar.

28. SIR F. BURDETT'S LETTER TO LORD SIDMOUTH.—*Cottesbrook, Aug.*
28.—My Lord; I hearing your Lordship had applied to the gentlemen through whose hands my address to the electors of Westminster was transmitted to the newspapers to give up the author, and had at the same time intimated that a refusal would subject him, as well as the Editors of the papers, to a ministerial prosecution; I take the liberty, in order to save your Lordship further trouble, and also the gentleman above mentioned an unjust prosecution, to inform your Lordship, that I am the author of the address in question; and, moreover, to assure your Lordship, that although penned in a hurry, and under the influence of strongly excited feelings, I can discover nothing in it, on a re-perusal,

unbecoming the character of an honest man and an Englishman. I remain your Lordship's most obedient and very humble servant,

FRAS. BURDETT.

Lord Viscount Sidmouth:

30. Numerous Reform Meetings have taken place in different parts of the country, and, among others, at Glasgow; but the circumstances and character of all of them are so similar, and the treasonable language so utterly irrational and disgusting, that, even had we room, which we have not, we should have declined putting them on special record, unless attended with peculiar atrocities like some we may yet have occasion to mention.

SEPTEMBER.

2. MEETING IN PALACE YARD RELATIVE TO THE LATE PROCEEDINGS AT MANCHESTER.—The Palace-yard meeting, of which Sir Francis Burdett was Chairman, met without tumult, and dispersed in peace. The speech of the Baronet was less violent than some others of his making. The object of this meeting in Westminster was to express a decided opinion on the conduct of the Magistracy and Yeomanry of Manchester. None of the Whig party were present; foreseeing, it may be conjectured, what would be the nature of the address and resolutions proposed. The populace who attended were estimated at from 10,000 to 15,000 persons.

4. TRUE BILLS FOUND AGAINST HUNT, JOHNSON, AND OTHERS.—A true bill has this day been found against Henry Hunt, Joseph Johnson, James Moorhouse, John Knight, Robert Jones, Joseph Healey, George

Swift, John Thacker Saxton, Samuel Bamford, and Robert Wilde, for conspiracy. About three o'clock this afternoon, Robert Jones, James Healey, George Swift, J. T. Saxton, Samuel Bamford, and Robert Wilde, the prisoners charged in the above indictment, who had remained in custody for want of bail, were brought up to plead, when they severally entered the plea of "*Not Guilty*," and asked to traverse.

6. EXTENSIVE DEPREDATION IN THE CORN TRADE.—Several investigations have lately taken place at Union-Hall office relative to a system of plunder almost unprecedented in magnitude, which has been carried on for a considerable length of time by the parties implicated, but which has only very recently been discovered. The principal sufferer on this occasion is Mr Christopher Dunkin, an eminent corn-merchant, residing at Horsleydown, who owns and rents extensive granaries at various places above and below the bridge, for the purpose of storing grain either belonging to himself or others, and whose loss on this occasion amounts to many hundred pounds. The principal instigator in this frightful depredation, was one of Mr Dunkin's own confidential servants. In consequence of information received by Mr Dunkin, this servant, James Smith, together with a corn-porter, named Thomas Wicks, were apprehended and examined at the office on Saturday. From the nature of Mr Dunkin's business, he necessarily employed a number of servants, and among them the prisoner, James Smith, who acted as granary-keeper, at various places, according to circumstances. It appeared that this man, about four months ago, obtained the co-operation of the prisoner Wicks, who agreed with Smith to

join him in robbing his employer, Mr Dunkin; and accordingly procured two carmen, who (though innocently) assisted in the robbery, by carting the stolen grain. The prisoner Smith, being granary-keeper, had the uncontrolled care and custody of the keys, which he from time to time, watching opportunities when the clerks were absent, took to Wicks, who promptly attended with his carmen, and thus with impunity feloniously carried off generally twelve quarters of grain at a time, sometimes wheat, at other times peas, but most frequently oats: the oats were chiefly sold to a person who had a granary of his own, and who bought and paid the carman for them at the rate of 16s. per quarter, at the time the market price was upwards of 30s. This system of plunder was not confined to one granary, but first practised at Limehouse, then at Lavender-wharf, Rotherhithe, and latterly at Randall's granary, Lambeth. On all occasions the carmen were furnished with tickets or load notes, which they received from Wicks on loading and delivering to the purchasers, by which means they were kept in the dark, and were completely ignorant of the nefarious traffic in which they were employed. The two carmen attended the examination, but their evidence did not affect the prisoner Smith, Wicks being the only person they knew in the transaction, and to whom they invariably paid the money which they received for the grain; Smith was therefore discharged, though there is no doubt of his being the chief instigator, as well as a participator in the gain arising from the plunder. Wicks was fully committed for trial.

13. HUNT'S PUBLIC ENTRY INTO LONDON.—Mr Hunt this day entered the metropolis, amidst a proces-

sion of flags, &c. got up by Watson, Thistlewood, Preston, Waddington, and others of his friends, among whom there had been some previous squabbling on the subject. The procession consisted of horsemen with flags, reformers in hackney chariots, and the hero of the day, Henry Hunt, Esq. standing in a landaulet, drawn by six horses decorated with scarlet ribbands, and preceded by a flag, having inscribed on it, "HUNT, the heroic Champion of Liberty." The procession commenced at Islington, and proceeded through Finsbury-square, Sun-street, Bishopsgate-street, Cheapside, round St Paul's, Ludgate-hill, Fleet-street, to the Crown and Anchor Tavern, Strand, where a dinner was provided at seven o'clock, at 7s. 6d. a ticket. The procession was closed by a crowd of pedestrians, extending back as far as the eye could reach. The crowds through which Hunt passed, and those by whom he was accompanied, were estimated at not less than 200,000. As soon as Mr Hunt had got out of his carriage, he addressed the assembled multitude. After thanking them for the distinguished honour they had conferred on him, he declared he should at all times be ready to sacrifice his life, if required to do so, in defence of his principles and their liberty; he then advised them, as they valued the cause for which they were contending, to disperse quietly, and not by any ebullition of feeling to give their enemies any advantage over them. This speech was received with repeated plaudits. Hunt retired, and in a few minutes the crowd had nearly dispersed. The dinner scene was quite of a piece with the whole of this seditious pageant, and called forth a succession of the approved toasts of the "white

hatted gentry," appropriately accompanied by the revolutionary tune of *ça ira*. Gale Jones speechified, and compared Henry Hunt to Alexander the Great; a compliment which necessarily called up the Orator, who, in his turn, made a long, inflammatory, rigmarole, vituperative speech, and entered into a sort of vindication of the part he had acted in the memorable meeting of the 16th of August last. The Orator was followed by Doctor Watson, of whose eloquence on this great occasion we regret to say that no memorial has been preserved. Hunt himself was in the chair, having compelled Gale Jones, who, at the suggestion of Apothecary Watson, had been previously called to preside, to give way to his superior pretensions. This, with some harsh expressions made use of by the Orator to the *tried* son of Esculapius, has occasioned a considerable fracas among these miserable rogues, and Hunt has been called upon to apologise, which however he has preemptorily refused to do. Nothing but water was drank at this notable entertainment.

14. DISTURBANCES IN PAISLEY AND GLASGOW.—The excesses of the mob at Paisley continued with little interruption for nearly three days. The magistrates were, perhaps, not justified by law in their seizure of the flags which had been used at the Paisley meeting; and there is the stronger ground for lamenting this act of mistaken zeal, because it really appears to have furnished a pretext for whatever violence and mischief were afterwards resorted to by the multitude. The meeting, it is acknowledged, had dispersed in peace. The magistrates seem, therefore, to have made a gratuitous display of their anger against the radical reformers, by carrying off their ensigns after the business of the day was

ended. The magistrates were accordingly, on the following days, "upbraided by the populace with being the first aggressors," and were called upon to restore the prisoners and the flags. But here it is proper to mention, that if the Provost and his brethren were in one solitary instance indiscreet, in no instance were they cruel. When the reassembling of the mob, and when their scandalous insults and personal outrages against the civil power, compelled the reading of the Riot Act and the subsequent employment of the military, an exemplary spirit of forbearance and moderation marked the whole conduct of the Paisley magistrates, and was shared with them by the regular soldiers who obeyed them. Repeated notice was given that the Riot Act had been read. The very "Reformist Committee" attempted to prevail upon its infatuated followers to disperse; but (we trust it may teach these committee-men a lesson) their eloquence was as useless, as if it had been addressed to the winds and waves. The troops were finally and most properly ordered to advance against the unruly multitude, which was driven before them without trouble, and without the loss of a single life. The external appearances of tranquillity were thus restored. The scenes exhibited at Glasgow on Monday evening, in connexion, as it appears, with those at Paisley, were still more disgraceful to the mob, and more mortifying and provoking to every man of the slightest reflection or generosity. The poor of Glasgow had been treated with a degree of kindness by those in authority over them, more characteristic of parents than of magistrates: advice, assistance, work, food, money, had been profusely contributed for the relief of their wants. On some occasions

these blessings had been well bestowed, on others received with sullenness, or ungratefully rejected; but such a return as the proceedings of the 13th inst., it was not easy to anticipate. The reforming ruffians of Glasgow had surely nothing to complain of; no "aggression" by the magistrates, as was alleged at Paisley; no attack, as elsewhere, by men in red coats. The Corporation of Glasgow are officially directed in all matters of legal question by a gentleman whom we understand to be among the most enlightened and benevolent individuals of the empire. Where they are forced to act with vigour, therefore, they will contrive, we doubt not, to have the law and constitution on their side. It is vain, we fear, to reason with those callous desperadoes, whose whole life is spent in one fever of commotion, and who have the ear of the wretched multitude, whom they draw together in mobs of 50,000 at a time; no matter, be the purpose legal or not. Thus they expose the infatuated people to the hazard of military execution, and create, in the minds of all peaceable and rational men an utter loathing of the very name of reform, and an aversion even to public liberty itself: for what man would not a thousand times prefer the security of even absolute despotism itself, to the unbridled and desolating fury of popular rage and ascendancy? Had it not been for the temperate firmness of the magistracy, and the extreme forbearance of the military on this occasion, it is difficult to form any conception of the mischief that might have been effected, and of the number of lives that might have fallen a sacrifice to the practices of a posse of artful ruffians, who first rouse up the storm of popular frenzy, and then basely skulk away from its fury, leav-

ing their deluded victims to expiate the follies and crimes of which they alone are the real authors.

17. DEATH OF BLÜCHER.—This gallant old man terminated his earthly career on the evening of the 12th instant at Kriblowitz in Silesia. His physicians had no idea that his end was so near at hand, and had endeavoured to persuade him that his health would yet be re-established. To these delusive statements he replied, "I know that I am dying; I can judge better of my state than physicians. I die without regret, for I am no longer good for any thing. Tell the King that I shall die as I lived, faithful to his interests." The Field-Marshal Blücher was born at Rostock on the 16th of September 1742; so that at the time of his death he wanted only a few days of being 77 years of age. At the age of fourteen he entered into the service of Sweden, and served his first campaign against the Prussians. His life was a singular alternation of reverses and success. The Russians gave him the nickname of *Maréchal En avant*, from his heroic, daring, and indefatigable activity.

20. STUART PAPERS.—The Committee appointed for inspecting these papers have, for the present, suspended their labours. The papers are extremely voluminous and irregular, and the whole are being arranged by some gentlemen conversant in such matters, previous to the Committee again assembling, who consist of Sir James Mackintosh, Mr Wynn, Mr Heber, &c.

MEETING AT YORK IN RELATION TO THE MANCHESTER AFFAIR.—The person who presided on this occasion was the Lord Mayor of York: Mr Dundas, M. P. for York, Mr B. Cooke, late candidate for the city, Mr Nicoll, the Recorder of Doncaster, and others attended. The Lord

Mayor communicated the curious fact, that in a perfect confidence of the peaceable and orderly disposition of the inhabitants, he had neither stationed any constables near, nor had he sworn in a single special constable. We cannot commend the confidence of this worthy Magistrate; but, fortunately, after the passing of the resolutions, and the conclusion of the business for which the meeting had been convoked, the people dispersed in perfect order and tranquillity. As to the resolutions themselves, the third, we observe, returns thanks to Hunt and his companions in prison for their "forbearance" when assaulted by the Yeomen. Were we disposed to be hypercritical, we might say that such praise is somewhat overflowing for the occasion. It is thanking Hunt, who, according to the Irishman's expression, "had nothing in his hand but his fist," for not maintaining a martial combat with the armed Yeomanry. With all Hunt's consciousness of heroic valour, this resolution will be apt to confound his modesty. The sixth resolution proposes an address for the removal of Ministers. We shall only say, we wish they had been wise enough to refrain from thanking men in whose favour they had no evidence but their own.

25. CORONER'S INQUEST ON LEES.—After various delays the Coroner this day took his seat, in an apartment at Oldham, and, having called over the names of the jury, proceeded to examine evidence relative to the manner in which the deceased had met his death. It appeared, that, previous to the meeting of the 16th, Lees had been in a bad state of health, notwithstanding which he went to that ill-fated meeting, at which he received several bruises and a sabre cut in the arm, which, from the ne-

gligence of his relations, was suffered to mortify before proper medical aid was called in. The result was that he died some time after. This appears to be the substance of all the credible testimony examined on this occasion. Never before, we believe, on an inquest, was such a vast body of evidence produced, or so many conflicting statements given; nor do we recollect of having ever read of more audacious and violent attempts being made to influence the minds of the jury, and to secure a verdict agreeably to the wishes of the radical reformers. The Coroner, Mr Farrand, was in consequence obliged to remove the inquest from Oldham to Manchester, where, however, similar scenes were daily renewed. We have no wish, and indeed no room to attempt an abridgment of the voluminous evidence laid before the jury during the nine days that the inquest lasted, or to record the disgraceful contests in which the Coroner was, day after day, engaged with Mr Harmer, the Old Bailey Solicitor, and with the Reporters of two morning papers, (the *Chronicle* and *Times*, but particularly the latter.) For this we refer to the files of the *Times*, where the reader will find the whole proceedings detailed with great minuteness, and, we have reason to believe, with very considerable accuracy. On the ninth day, the inquest was adjourned till the 1st of December.

27. PERSECUTION OF THE JEWS.—A letter from Copenhagen, dated the 11th instant, states, that, "The severe measures adopted by our Government have not wholly suppressed the signs of public hatred against the Jews. The military were compelled on Tuesday last to fire upon the mob, but no person was wounded. Nearly all the windows of the houses inhabited by Jews were broken. One of that sect, well

known as a money-lender, in his attempt to leave the city, was taken out of his carriage in open day, and so cruelly attacked with stones, that he is said to have died shortly afterwards. On the other hand, the punishment of the persons who have been detected in these tumults has been extremely severe. A lawyer's clerk, convicted of having headed a party which entered the house of a Jewish merchant, and cast all his furniture and merchandise into the street, has been condemned to imprisonment and hard labour for life; a sentence worse than death itself. Scarcely a day passes that revolutionary placards are not posted at the corners of the streets, exciting the people to acts of hostility against the government. One of them contained the following words, "Don't leave off: first the Jews; then the King." Messrs Meyer and Trier, bankers to the Royal Family, have resigned that employ, in consequence of the late events."

29. COMETS.—According to the calculations of Dr Olbers, the learned astronomer of Bremen, after a lapse of 88,000 years a comet will approach the earth as near as the moon; after 4,000,000 of years it will approach to the distance of 7700 geographical miles, and then, if its attraction equal that of the earth, the waters of the ocean will be elevated 13,000 feet, and a deluge ensue; after a lapse of 220,000,000 years it will come in contact with the earth, the consequences of which (happily very remote) event, it is no difficult matter to determine.

OCTOBER.

2. AERIAL VOYAGE.—The longest aerial voyage ever performed in Great Britain was recently made by Messrs Livingstone and Sadler, who lately ascended from Liverpool, and in the space of two hours and fifty minutes traversed a distance of nearly a hundred miles in a lineal direction. In the course of this voyage they traversed some of the finest parts of the counties of York and Durham, the views of which, from their lofty position, both the aeronauts have described as enchanting and sublime beyond all description. They appear, however, to be men of more daring than science, as they ascended without even a barometer, from which it is impossible to form any idea of the extreme altitude reached by the balloon.

7. VENEZUELAN OFFICIAL ACCOUNT OF THE CAPTURE OF BARCELONA BY THE ARMS OF THE REPUBLIC, AND OF THE SIEGE OF CUMANÁ.—"I now communicate to you intelligence of the highly important achievement of the capture of Barcelona, by General Urdaneta. Our squadron, composed of 15 ships of war, is at this moment blockading Cumana, in which it shuts up the Spanish squadron of six large vessels, among which is the *Nimpha*, and also eight flecheras. These ships will all undoubtedly fall into our hands. The Spaniards never could believe that such an expedition could sail from Margarita; but they have been undeceived to their utter astonishment."

11. DUKE OF HAMILTON'S LETTER.—The following is a copy of the Duke of Hamilton's letter to the

Committee for the Manchester sufferers, inclosing his Grace's subscription of L. 50 :—" Gentlemen ; I beg leave to offer you, in aid of those who have suffered at Manchester, the sum of L. 50. Although I do not go so far as to advocate the cause of annual Parliaments and universal suffrage, yet am I a firm friend to reform, and a strenuous supporter of those constitutional rights, (and long may they be preserved !) by which Englishmen are entitled by law to meet together, consider their grievances, and petition for relief, when injured. It would appear, that in the exercise of this their birth-right, his Majesty's subjects have been interrupted in a mode, and with a precipitation and violence, that awakens the most alarming reflections in all those who are attached to the constitution of the country, or feel for the lives and liberties of their fellow-countrymen. In the Courts of Law and Houses of Parliament it is that the rights of the subject must and will be asserted, and justice done to the aggrieved. It is humanity that offers this trifling tribute, for the relief of those maimed and mutilated sufferers whose distressed situation appears to call for sympathy and support. I have the honour to be, gentlemen, your most obedient humble servant, &c.

" HAMILTON AND BRANDON.

" Hamilton-Palace, Sept. 30."

17. RIOT AMONG THE KEELMEN AT NORTH SHIELDS.—On the afternoon of the 14th, a rumour prevailing that a steam-boat was towing loaded keels down the river, a number of the inhabitants assembled on the Duke of Northumberland's Quay. Several gentlemen and others, said to be special constables from Newcastle, were on board of the boat ; the former of whom, as soon as she was moored at the quay, repaired to

the Northumberland Arms, and were hooted, hissed, &c. Those who remained on board were assailed with stones, thrown by some idle boys, said to have been urged thereto by the women, so that the peace-officers were forced to take shelter in the cabins. It appears that a message had been sent to the brig cutter for assistance, and about six o'clock two boats arrived, in each of which were marines, when, without the least warning for the crowd to disperse, a musket was fired, and soon after a second ; but those who used these weapons pointed them in such a manner as not to injure the unsuspecting, and, most of them, innocent spectators, who did not fly, from the supposition that the guns were fired to disperse the boys. But the third person that fired, convinced them that their security was wrongly placed ; he levelled his piece at the multitude, and the bullet entered the heart of a seaman named Joseph Cleckson, who almost instantly expired. The act was so unexpected, that the multitude could not credit the report of those near the dying man ; but when assured of the fact, the scene became truly terrific, personal safety was forgot, and the shouts for vengeance issued from every tongue. The person who fired the musket took advantage of the moment and escaped. The gentlemen in the mean time issued from the inn, and seized a youth, who, from being lame, had been upset by the crowd, whilst it was imagined he was picking up stones : they succeeded in dragging him to the Northumberland Arms, whilst others laid hold of a man dressed in a light coat, caught in the act of bombarding the boat : the last, on the alarm being given, was instantly rescued, when the populace repaired to the inn to liberate the other. The doors were found

shut; but, by the application of some gas-pipes, which were lying near, the hinges were soon broken, and the mob, with stones, totally demolished the panes and sashes of the lower windows, and a number of squares in the second story. A window where the gentlemen were assembled, which faced the back part of the house, shared the same fate; so that those within were assailed on both sides. The door was no sooner opened, than a party rushed in, and demanded the liberation of the young man, which was instantly complied with. The gentlemen then escaped by the back door, and retreated up the Bank. A Coroner's inquest soon afterwards sat on the body, when several witnesses were examined, all of whom swore to the piece having been fired by one of the marines in the boat, which caused the man's death.

19. EDINBURGH MUSICAL FESTIVAL.—This long-desired jubilee at length commenced on the evening of this day, and certainly a more splendid assemblage of rank, beauty, and intelligence, than was collected to witness this interesting exhibition of talent and genius, was never beheld in Scotland. The first evening's performance commenced with Haydn's Military Symphony, which was performed in admirable style. Mr Braham does not appear to have lost any of those powers for which he stands pre-eminent; and did he not rather too frequently allow his vanity to get the better of his judgment, by overloading his songs with ornament, he would be quite unrivalled. Notwithstanding this defect, he is still, perhaps, the first singer in England. No one could doubt this, who attended to the beautiful style in which he executed his part of Mozart's inimitable duet, "Haggi Cru-dele," which was sung in the most masterly style of excellence. The

Septetto of Beethoven afforded exquisite pleasure, not only from the excellence of the composition, but also from the admirable manner in which it was executed. The Wednesday morning's selection was certainly good; but the directors, in their great anxiety to gratify the public, committed a capital error. They practically exemplified the proverb, that one may have too much of a good thing; for, in spite of the excellent selections from the compositions of Handel, Mozart, Pergolesi, Beethoven, and Bishop, followed by the sublime Creation of Haydn, the audience were exhausted and satiated. Many actually left the room at the commencement of the second act, which it is impossible to believe could have been the case had this morning's performance been confined, as it ought, to the masterly works of the great Haydn. Notwithstanding the great length of the performance, the songs and chorusses were performed in a manner which astonished and delighted every person of musical feeling present, and called forth repeated applause; a practice unusual at the performance of sacred music, but which could not, on this occasion, be repressed. Wednesday evening's performance, as might have been anticipated, went off very flatly. The length of the morning's performance had so exhausted several of the performers, as to unfit them for the evening's duty. Mr Lindley's Concerto was not given, and Stephens, through indisposition, was unable to appear. But though all the performers had been in the best spirits, the public were not able to sustain such continued attention. Mr Braham evidently appeared to labour under indisposition. The pleasing manner in which Signora Corri and Miss Goodall, particularly Signora Corri, sung, and the prodigious comic.

powers of Signor Ambrogetti, alone saved the audience from complete inanity. But if the public were disappointed on Wednesday, we were infinitely delighted, astonished, and more than rewarded, on Thursday by the performance of Handel's Messiah, with the addition of Mozart's accompaniments, which ought never to be omitted. The delicious effect of the wind instruments, in many of the songs, it is impossible to describe. Mr Braham seemed to have been completely renovated by the night's repose, and sang "Comfort ye my people," "Thou shalt dash them," "Behold and see," "He was a man of sorrows," in such a manner as to prove his claims to the first rank in his profession. Thursday morning was occupied with the performance of Handel's Messiah. This composition, whether we consider the touching and sublime simplicity of the different airs interspersed throughout, or the varied harmony and grandeur of the more magnificent passages, may be justly ranked among the most splendid productions of genius; and we have the pleasure to add, that it was performed in a style the most masterly, with a richness and brilliancy of execution every way corresponding to the grandeur of the original design. It was unquestionably the most perfect exhibition of the kind ever before heard in this country; and it reflects the highest credit on the professional talents of those engaged in it. The addition of the wind instrument accompaniments, by Mozart, improves greatly the general effect, by giving variety and relief to a long performance of this nature, and being so skilfully joined to the original piece, that they neither mar its unity nor simplicity; but throw a lightness and brilliancy over the whole, by combining the two great sources of pleasure, the

beautiful and the sublime. The merits of Mr Braham, in the different passages of the Messiah usually allotted to him, have been long known and celebrated. His voice is admirably adapted for the expression of sublime emotion; and sacred music, therefore, affords him a fine field for display. Mr Bellamy improves the oftener he is heard. His style of singing combines great force and simplicity. Mr Jager, in the little he had to do, was highly pleasing. Miss Stephens was so far recovered from her fatigue or indisposition, that to the general delight of the audience she made her appearance among the vocal performers on Thursday morning. She sang the air, "Rejoice greatly, O daughter," &c. and "I know that my Redeemer liveth," with all her usual taste. The last, particularly, was given in the most touching strain of elevation and tenderness. The more frequently Miss Goodall's voice is heard, the more certainly does she appear to possess from nature all the requisites of a great singer, and careful cultivation seems all that is necessary to perfect the gift. Signora Corri displayed great powers of voice and execution in the several airs which she sang. The chorusses formed a most magnificent part of the exhibition, and they were executed with the most imposing effect. No efforts have been spared to bring forward those interesting parts of the performance in a style of suitable splendour. The accompaniments to the solo parts of the performances, by Yaniewicz, Lindley, and Dragonetti, were in high style of excellence, and added a degree of brilliancy to the voices that cannot well be conceived. The power of Dragonetti's double bass was strikingly exemplified in controlling the whole band, and keeping them to one exact measure of time;

and Schmidt's trumpet was managed in an extraordinary manner. On Friday evening the theatre was crowded in every part to excess, but there was no extraordinary bustle, or any pressure in filling the house. The selection was admirable, the whole performance spirited and masterly, and, we may say, without a fault. The concert opened with the celebrated Symphony of Beethoven in D., a composition that was never before attempted in Scotland. The whole was executed with infinite science, precision, and taste. Mr Lindley on the violoncello completely arrested the attention of the audience by his extraordinary command over this fine instrument. The selection for the vocal department merits equal praise. The extracts from Mozart's Operas were performed in a style worthy of the music, particularly the concluding piece of the first part, a sestet from the opera of Figaro, which rises into a degree of grandeur that must strike even an uncultivated ear. Signora Corri was peculiarly happy in her two songs; that of Mozart was given with great tenderness and feeling; and the bold martial air of Pucitta was executed with great boldness and animation. Mr Braham was great in his first song from Zingarelli, and displayed all his powers in the "Last words of Marmion." Miss Stephens fully supported her usual character, and seemed to win the good will of the audience by volunteering the song of "Auld Robin Gray;" which, on account of her illness, was omitted on Wednesday evening. The manner in which the whole was arranged and conducted appears to have given great satisfaction to the public, and must reflect the highest honour on the presiding judgment and good taste of the directors as displayed on this occasion.

20. MANCHESTER.—Meagher, the

trumpeter to the Manchester Yeomanry Cavalry, was brought up for examination at the New Bailey court. The charge against him, for which he had undergone some previous examinations, was firing two pistols from the garret-window of his house in Deansgate, and wounding J. Jones in the thigh, and R. Robinson in the leg. He underwent a long examination before Mr Wright the magistrate. The excuse he offered was, that his house had been beset by a riotous mob, and his windows broken. Several witnesses gave their testimony, that the prisoner was not threatened, nor even molested, at the time he fired the pistols from the window; and that there was no assemblage of people opposite the house to cause alarm. On the contrary, John Davis, druggist and apothecary, who resided nearly over against the prisoner's residence in Deansgate, deposed, that at half-past twelve he heard, while in his bed-room stones thrown, glass broken, and most opprobrious language, such as "rascal, murderer, unassacrer, butcher, trumpeter!" Soon after, he heard the report of a pistol; he then went to the front of his house, and saw three different parties, who used very gross language; the prisoner was in the garret window, facing Queen Street: he was in his shirt-sleeves: he cried out, "What do you there? Begone, get away, or I'll fire upon you." He then fired again. Sarah Kennedy also deposed to hearing the windows broken, before there was any firing. The magistrate then declared he should adjourn the court to that day fortnight. He also stated, that in consequence of the evidence of Mr Davis, who was a most respectable witness, he should take bail for the prisoner's appearance on that day, himself, in L. 200,

and two sureties in L. 100 each. Mr Davis was one of the bail. Meagher was then liberated.

22. **TALES OF MY LANDLORD.**—Sir; I have observed in the newspapers lately, an advertisement of a fourth series of “Tales of my Landlord, collected and arranged by Jedediah Cleishbotham, schoolmaster and parish-clerk of Gandercleugh, containing Pontefract Castle; orders received by all booksellers in London. That the public may not be taken in to suppose this work a production of the author of “Tales of my Landlord,” in three series; the first, containing the Black Dwarf and Old Mortality; the second, the Heart of Mid Lothian; and the third, the Bride of Lammermoor, and a Legend of Montrose; I who have transacted betwixt the publisher and the author of these books, as his agent, do, on my certain knowledge, assure you and the public, that this author has no concern whatever with the catch-penny publication announced as above; and although I have not his express authority for saying so, I am morally assured he will at no future period send any further work to the public under the title of “Tales of Landlord.” The copy-right of the “Tales of my Landlord,” in 12 vols. has been purchased by, and is now the property of, Messrs Constable and Co., who are taking legal measures to interdict the publication of this spurious work under their title, and to punish those concerned in it when they shall be discovered. I am, Sir, your obedient servant, JOHN BALLANTYNE.

Hanover Street, Edinburgh, Oct. 22.

23. **EARL FITZWILLIAM.**—This nobleman has been dismissed from his situation of Lord Lieutenant for the West Riding of Yorkshire, in consequence of his being one of

those who signed the requisition, and attending the meeting at York, in reference to the proceedings at Manchester on the 16th of August.

24. **OLD BAILEY WIT.**—On the recorder passing sentence of transportation *for life* on John Moore, at the Old Bailey, the prisoner, in the most hardened manner, said, “I wish to ask your Lordship a favour;” and on being desired to state it, said, “I’d thank you, my Lord, to give me another year.”

PARIS.—The noted Sebastiani has been elected a deputy for Corsica, as well as M. Ramolino, cousin-german of Bonaparte’s mother. The latter election has excited great notice. Corsica is a sort of rotten borough to France; the voters were only thirty-five in number.

26. **PARIS.**—The translator and publisher of Mr Hobhouse’s History of the Hundred Days, have been condemned by the Court of Assizes, the former to six, and the latter to twelve months’ imprisonment, and each to pay to the King a fine of a thousand francs.

27. **THE LATE DUKE OF RICHMOND.**—An official dispatch from Charles Cambridge, Esq., addressed to Earl Bathurst, contains a detail of particulars attendant upon the melancholy death of this nobleman. After mentioning the tour which his Grace had taken for the purpose of investigating the actual state of the provinces, and other particulars, the letter proceeds thus:—“When his Grace parted with his family at Kensington, he proceeded, accompanied by Lieut.-Colonel Cockburne and Major Bowles, and two domestics, to visit the eastern township, where already the population had been considerably benefited by the excellent policy of the administration. On the 23d of August, the Duke

dined with a detachment of officers stationed at Perth, and it was only on the 25th that the first symptoms of that cruel disorder presented themselves, which only three days afterwards terminated in death. Early on that morning, his valet found his Grace alarmed at the appearance of some trees which were near a window where he slept, and which he insisted were people looking in; and shortly afterwards, when a basin of water was presented to him, he exhibited evident abhorrence at the sight of it; and on several other occasions on that day, and on the 26th, the same symptoms were but too obvious whenever any liquid was presented, and which it now appeared his Grace partook of with extreme reluctance. On this day, at dinner, he had requested Lieut.-Col. Cockburne to take wine with him, but his Grace had no sooner lifted the liquid to his lips, than, unable to control the violence of his disease, he replaced the glass on the table, observing—"Now, is not this excessively ridiculous? Well, I'll take it when I don't think of it." The same evening an Assistant-Surgeon, the only one in the vicinity, was sent for, who bled him, and his Excellency apparently found so much relief from the operation, that he arose early the next morning, and proposed walking through Richmond-wood, to the new settlement of that name, which had recently received its appellation from its illustrious founder, who was about to immortalize it by the catastrophe of his death. He had, in his progress through the wood, started off at hearing a dog bark, and was with difficulty overtaken, and on the party's arrival at the skirts of the wood, at the sight of some stagnant water, his Grace hastily leaped over

a fence, and rushed into an adjoining barn, whither his dismayed companions eagerly followed him. The paroxysm of his disorder was now at its height. It was almost a miracle that his Grace did not die in the barn. He was with difficulty removed to a miserable hovel in the neighbourhood, and early in the morning of the 28th the Duke of Richmond expired in the arms of a faithful Swiss, who had never quitted his beloved master for a moment. Whilst in this miserable log-hut, reason occasionally resumed her empire, and his Grace accordingly availed himself of these lucid intervals to address a letter to Lady Mary Lennox, in which he reminded her that a favourite dog, belonging to the household, being in a room at the Castle of St. Louis, at a time (five months before) when the Duke, shaving, cut his chin, the dog was lifted up, in order to lick the wound, when the animal bit his Grace's chin. The recollection of this circumstance gave his Grace but too sure a presentiment (the dog having subsequently run mad) of his approaching fate; and his Grace, therefore, in his letter to Lady Mary, expressed his conviction (which indeed appears an irresistible conclusion) that his disorder was hydrophobia. His Grace recommended the line of conduct to be observed by his children in the painful situation in which they would be placed at his death; and, it is said, requested to be buried in Quebec, on the ramparts, like a soldier, there to remain. His Grace's remains arrived in Montreal on the night of the 30th of August, (the very day on which the levee was to have been held), in a state which I shall not outrage your Lordship's feeling by detailing; far less can I attempt to depict the

sensations of the young ladies of his Grace's family, when the fatal news so unexpectedly reached them on the 30th, at Montreal. His Grace's sufferings were extreme, yet his mind soared above his agony. He directed Colonel Cockburne not to attend to his orders any longer, 'For you see,' said this great man, 'the state I am reduced to;' and during a paroxysm of pain, he exclaimed, 'For shame, Richmond; shame, Charles Lennox; bear your sufferings like a man.' 'The Duke, the first man of his rank, perhaps, who ever died on the American continent, will ever be regretted by all classes of his Majesty's provincial subjects. The awful termination of his Grace's illustrious career must excite universal sympathy.'

50. GEORGE BIDDER.—The singular powers of calculation possessed by this boy having attracted very general notice, he was visited by several scientific gentlemen: and the following are some of the questions put to him on the occasion: How many times does a wheel 7 feet 3 inches in circumference revolve in a distance of 13 miles 3 furlongs? Answer (in one minute) 9740½ times. What is the product of 62,473,864 multiplied by 27,356? Answer (in 3½ minutes) 1,709,035,584. What is the percentage on L.35,727 : 17 : 6 at 17½ per cent? Answer, L.6386 : 7 : 1½. What is the cube root of 122,615,327,232? Answer (in 2½ minutes) 4968. If the Bible contains 743 pages, each page 57 lines, and each line 47 words, how many words are there in the book? Answer (in less than a minute) 719,967. A statue stands between two trees; the pedestal of the statue is 90 feet from the top of each tree, and the one tree is 60, and the other 54 feet high: required

the distance between the trees? Answer (in one minute) 139 feet. A great number of other questions were put to him, most of which, except some of a complicated kind rather belonging to Algebra, he answered with astonishing rapidity and accuracy. The process is entirely mental. The numbers he had to work with, however long, were not reduced to writing, but merely mentioned aloud; and by repeating them to himself, he kept them in his memory, and performed all the necessary operations with invariable accuracy. He evidently did not work by the ordinary rules; for in getting the product of two or more numbers, he generally found the highest numbers first. Like Zerah Colburn, George Bidder has since asserted the possibility of communicating the process by which he proceeded, in reaching arithmetical results, by an apparent species of intuition.

SINGULAR COINCIDENCE OF DATES.—The year Eighty-eight has, for several centuries, been fatal to the Royal House of Stuart. James III., on the 11th of June 1488, lost a battle to his subjects, by whom he was afterwards pursued and assassinated. Mary, Queen of Scots, was beheaded on the 8th of February 1588. James II. of England abdicated the throne of Great Britain on the 12th of December 1688; and, in the year 1788, the last of the House of Stuart that aspired to the throne of these kingdoms expired.

NOVEMBER.

1. FEVER IN SPAIN.—By the mail of this day, intelligence from Seville, Cadiz, and other places in their vi-

cinity, has been received. The mortality arising from the fever, which has already made such extensive ravages there, is reported to be greater than ever. The city of Seville itself has hitherto been free from this severe visitation; it has, however, broken out in one of the suburbs, where about one hundred and twenty cases have occurred, of so malignant a nature, that above fifty of them proved fatal, and of the whole number scarcely any had so completely recovered as to be pronounced out of danger. The precautions practised at Seville, to prevent the spreading of the infection, were unusually rigorous. The persons afflicted, as soon as the symptoms could be ascertained, were all removed to houses at a short distance in the country, provided for that purpose, and all communication with them interdicted. To the severity of these regulations, however, the peculiar malignancy which the disease had assumed at Seville was attributed. The physicians there were of the opinion, that if medical assistance were rendered at the first appearance of the symptoms, it would scarcely ever prove fatal or even dangerous; but such was the terror inspired by the thought of being separated from all friends and relations, that the sufferers generally withheld complaint until all assistance became unavailing. Next to the suburbs of Seville, the Port of St Mary had comparatively suffered, the deaths there being twenty daily out of seven hundred sick persons. In the isle of Leon the disease had ~~also~~ been extremely fatal, and both there and at Chiclana continued to rage with greater violence than before. In Cadiz itself, probably owing to the superior medical skill to be found there, the proportion of deaths to the number of sick was

much smaller. The number of sick persons is, however, truly awful, being said by the letters of the 12th ult. to exceed 11,000. According to a report published by the Board of Health, the deaths, from the 1st to the 7th of October, were 588; and on the 12th, one hundred and five persons fell victims to the epidemic. It is a curious circumstance connected with this calamity, that without any alleged variation in the nature of the disorder, the proportion of the deaths should have so materially varied. It appears from our preceding statement, that in Cadiz the cases proving fatal have been one in one hundred; at St Mary's, one in thirty-five; but in the suburb of Seville, every third person died. The mercantile houses in Cadiz, many of which are of recent establishment, and therefore not protected by their members having had the disorder at a former period, appear to have suffered in a peculiar degree. Two-thirds of their number are stated to have been shut up or abandoned, the clerks and servants being all sick or dead. The principals had in many instances fled into the country on the first breaking out of the infection. We have before mentioned the effect of this visitation, in dispersing the troops collected for the expedition, and frustrating, in fact, by the delay that must take place before they can be again collected, all the objects for which it was originally planned. The circumstance has given rise to a saying among the Spaniards, characteristic, perhaps, (and only in that case to be mentioned without profanation), of a people highly loyal, and assuming that free tone in speaking of the Deity which is often combined with superstitious feeling, that "*Dios mismo insurgente.*"

FRENCH MINISTRY.—The following changes in the French ministry have been recently announced in the *Moniteur*: The Baron Pasquier, to be minister of foreign affairs; the Marquis de Latour Maubourg (minister at the court of London), to be minister at war; M. Roy, to be minister of the finances; and Comte de Cazes, minister of the interior, to be president of the ministry. The marshal St Cyr, General Desolles, and M. Louis quit their places.

NEW SOUTH WALES.—The advices received from Port Jackson, by the *Foxhound*, to the 13th of June, contain information very important to the interests of this advancing territory. It was some time since announced, that a passage had been effected across the Blue Mountains, and a most desirable country discovered to the west of those towering heights; and we have now the additional gratification of stating, that a communication has been opened to it of easy access, running through lands of the first description. The colonists are indebted for this acquisition to their resources to the exertions of C. Throsby, Esq. a large land and stock-holder, many years resident in New South Wales, who, after two preceding attempts, succeeded in May last, with the assistance of two native guides, Coockoogonn, chief of the Burrah-burrah tribe, and Dual, in passing from the Cow-pastures direct for Bathurst, having encountered only those difficulties inseparably attendant on the first explorers of the forests of a new country. Mr Throsby was, on the whole, occupied fifteen days on the expedition, his progress being protracted from some of his party falling ill, and bad weather; but by the delay he had greater opportunity of examining

the country on each side of his route; and in his letter to the gentleman from whom we have the information, he says, "I have no hesitation in stating, we have a country fit for every and any purpose, where fine-woolled sheep may be increased to any amount, in a climate peculiarly congenial to them; ere long you will hear of a route being continued to the southward, as far Twofold-bay, and so on further in succession through a country as much more beautiful and superior to the Cow-pastures, as that now enviable district is to the land contiguous to Sydney, and where our herds, our flocks, and our cultivation may unlimitedly increase, at an inconsiderable distance from the great and grand essential in a young colony—water carriage."

5. RE-INTERMENT OF THE BODY OF KING ROBERT BRUCE AT DUNFERMLINE.—This day the grave of Robert Bruce was re-opened, and inspected, in the presence of the Right Honourable the Lord Chief Baron, the Honourable Baron Clerk Rattray, Henry Jardine, Esq. King's Remembrancer, and other gentlemen of distinction, attracted by curiosity to the scene, together with the Provost and Magistrates of the burgh, many of the Heritors, the Ministers of the parish, and a numerous assemblage of inhabitants of town and country. Considerable alterations were observed to have taken place since the first inspection in February 1818; the ribs of the body, which were then in their natural position, having collapsed, and most of the shroud with which the body was enwrapped being consumed. A point, on which much diversity of opinion had been entertained since the first opening of the grave, was now settled; that the shroud was above, not under the

lead; sanctioning the supposition that the body may have lain in state previous to interment, when this rich covering, consisting of fine damask cloth, interwoven with gold, would be exhibited; as also, that it had been inclosed in a wooden coffin, when laid in the tomb, of which some vestiges, as formerly noticed, remained. It was clearly ascertained that the body had been embalmed, agreeably to historical record, for part of the sternum, or breast-bone, was found, that had been separated to facilitate the removal of the heart, which was further confirmed by the discovery near the grave of an oblong leaden box, which, in all likelihood, contained the entrails. The lead that inclosed the body was laid open, so as to expose to full view the whole skeleton, of the length of which, as well as of the several parts, exact measurements were taken. The body was five feet ten inches in length, which, when in life, might have been upwards of six. The head attracted particular notice. It was disjoined from the body, and held up to the admiring gaze of the spectators, during which it was pleasing to observe a solemn stillness prevail, betokening the feelings of reverential awe, awakened by the recollection of the noble spirit that once animated it, contrasted with the present humiliation of its mortal tenement. The skull was quite entire, and perfectly firm. The teeth on the under jaw were all remaining, but a few on the upper jaw were wanting. It was properly cleaned, and two excellent casts taken from it, which will afford materials for the craniological inquirer, as well as gratify the curiosity of thousands who had not an opportunity of seeing the lifeless original. The medical gentlemen were particular-

ly struck with finding the angles of the lower maxillary or chaff-bones remarkably acute. They also noticed with surprise the small and delicate bone, *hyoides*, which supports the tongue, in a state of great preservation. The cartilages, too, belonging to the *larynx*, on the top of the wind-pipe, as well as some of those of the *sternum*, still existed. Every necessary inspection being made, and the head replaced, the body was raised from the spot ~~where~~ which it had reposed undisturbed for nearly five centuries, and, together with the box before alluded to, and some of the newspapers and coins of the day, inclosed in lead, put into a new leaden coffin, prepared for the purpose, which was returned to its original position. The coffin was then completely filled with hot pitch, to exclude the air, and to promote more effectually the preservation of the bones. This precaution, however, was considered by many as unnecessary, while it was abhorrent to the feelings of almost all. On the lid of the coffin was this simple inscription:—"ROBERT BRUCE, 1329, 1819."

6. RECOLLECTIONS OF SCOTLAND.

—There lives at present in the parish of Sorby, Wigtonshire, Alexander Creadie, 105 years old. In his early years butcher's meat was within the reach of the most indigent, as the land in that quarter was generally kept in a state of pasture, and there was then no demand for our Scottish stock in the English market; but circumstances are now changed. For twenty years he has hardly tasted animal food, and his usual dinner now consists of oat-cake and water from the spring. He has seen seven successive ministers in his native parish, of whom Mr Campbell, who baptized him, was the first, and

was ordained immediately on the final establishment of Presbyterianism in the reign of William and Mary. In his youth, the school of Wigton was the only regular parochial establishment of that kind within his knowledge; but he seems to think that the people, though less learned, were then more virtuous and pious; that fraud and dishonesty were scarcely known; that the public ordinances of religion were more faithfully and zealously attended to, and that family worship was a duty that all discharged, and in which all delighted. Whether this opinion be absolutely correct or not, I shall not wait to inquire. The state of society within these last ninety years is materially changed. Old Creadie remembers when there was not a glass window in all the parish of Kirkinner, except in the manse, the house of Barnbarroch, and the Castle of Baldoon, and when the name of watch or clock was hardly known in his neighbourhood. Hats were worn only by the ministers and lairds. Mr Rome, in Stewartsoh, was the first farmer in this district who laid aside the bonnet. "Wee wheels," though common in other parts of Scotland, had not then been introduced into Wigtonshire. Spinning was effected by a tedious and fatiguing process; the rock (distaff), being attached to the left side of the body below the arm, the thread was drawn by the left hand, while the right upheld the spindle and "whorl," and kept them in motion. To Ireland we are indebted for the "Wee wheel," and the art of managing it. So important an accomplishment was this art then reckoned, that to acquire it many of the most notable housewives of that day sent their daughters to the north of Ireland, who, after a noviciate of six or eight months, returned thoroughly in-

structed, and were thus enabled to teach their families and neighbours the knowledge which they themselves had derived from strangers. At the same period a manservant's half yearly wages were five or six shillings, besides a shirt, a pair of shoes, or some other article of dress of nearly the same value. Nor was this a sum of trifling importance. The highest price of a bottle of the best rum was sixpence, sheep brought from a shilling to twenty pence a-head; the usual price of a good cow and calf was eighteen shillings, hardly ever a guinea; and old Creadie himself has often bought oatmeal at sevenpence the "auchlet," a measure which usually contained two pounds more than the present stone denotes. It is only about forty years since the Scottish measures, the auchlet, forpet, &c. were superseded.

10. COUNTY OF EDINBURGH.—This day, pursuant to public advertisement, a numerous meeting was held in the Justice-room of the new County-buildings, of the nobility, freeholders, and Justices of the Peace, &c., of the county of Edinburgh, for the purpose of voting an address to the Prince Regent on the present state of the country. The Marquis of Lothian, Lord Lieutenant of the county, was called to the chair. The Earl of Morton then rose, and said, that very few words would be necessary in introducing the resolutions and address which he should have the honour to propose for the adoption of the meeting. They were not assembled for the purpose of debating any party question. The essential question which they were now called upon to consider was, whether any vestige was to remain of the British constitution, of that constitution which we inherited from our forefathers,

which had raised the country to such a high station among the nations of Europe, and which he felt confident they were all ready to maintain with heart and hand. The country was placed in a peculiar situation. We had been engaged in a war which, for extent, duration, and the inveteracy of the enemy with whom we had contended, was perfectly unexampled. In the course of this contest our efforts had been great, and the effects were such, as might have been expected. Great part of the population had in this arduous struggle been drawn into the army and navy; and our commerce had also thriven beyond all expectation and example, so that a greater proportion of our people had been thrown into the manufacturing line; all which causes contributed to aggravate the effects uniformly produced by a transition from war to peace. He believed the people were naturally loyal and well-disposed; but that the disposition to sedition, which had broken out more than twenty years ago, was not totally extinct, and that designing men had taken advantage of the pressure of the times to disseminate impracticable schemes of reform, and to poison the minds of the lower classes, already too ripe for mischief. There was one peculiarity attending the present spirit totally unexampled. In all our former political disputes, religion till now had never been attacked, but blasphemy and impiety were now openly disseminated; and there was not a man present who did not owe it to his God as well as his country to repress and counteract the mischievous effects of these atheistical principles. In this country happily, if such a spirit did exist, it had not dared to show itself. It was peculiarly incumbent on this meeting to set a strong example, by

expressing their decided abhorrence of these impious doctrines. He trusted that on this point they were all agreed; and also that this was the proper time to make a public declaration of their attachment to the constitution, if they wished longer to enjoy its blessings. The resolutions, seconded by Sir John Hope, were then put and carried unanimously. On the question being put for agreeing to the address,

Mr Jeffrey said, he agreed in every sentiment expressed in the address; and he was even, if possible, more anxious for the success of the objects to which it pointed than the noble mover. In this spirit, he would humbly submit to their consideration, not an amendment, not an objection, but an addition to the address, every word of which he warmly approved of. It was fitting and proper that such sentiments should be expressed; there could not be a more proper time or occasion for expressing them; and he felt as strongly impressed as any one as to the necessity of making a declaration to this effect even in stronger terms. But at the same time it was not the only proper object of this meeting to inform their Sovereign of their feelings of loyalty and attachment. Their object in meeting was not alone the transmission of these sentiments to the ear of the Prince Regent, which any individual might transmit in a private letter to the Secretary of State. They met for the sake of the public: they met in the face of day, to proclaim aloud, in peril and in public anxiety, their attachment to the constitution, to encourage the loyal and well-disposed, and to deter and intimidate designing and malicious persons, by showing them that the well-affected were at their posts. Their great object was to repel those aspersions of

wickedness and of crime, which they all deprecated. This must be the sentiment of all present—to encourage the well affected, and to repress the factious and the turbulent. To effect this object he would humbly submit, that something more was required than the words of the address. It could not have escaped observation that there was abroad a spirit of discontent and disaffection to the Government, and to those establishments which form part of our political system. But it would be rash to suppose that all those who attended the late meetings were the decided enemies of the constitution. He was convinced that out of the disaffected population, 99 in 100 were misled by lies and delusions: they were inflamed, instigated, and goaded on to a momentary and unnatural state of irritation; and it was a most important part of our duty to conciliate and reclaim the deluded, to intimidate the designing, and to guard ourselves against their dangerous emissaries. With this view something should be added to the address to show that the higher classes were not indifferent to the distresses of the people, but that they really felt for their sufferings. Their great object ought to be, to strengthen themselves against the really disaffected. It was their most imperative duty, by gentleness, to detach from the enemy all their unnatural allies; to strengthen their own ranks, by reclaiming those who were seduced from them; and if they were to fight against the reformers, if the strength of the two parties was ever to be brought into actual collision, it was their duty, by gentle treatment, to thin the ranks of the enemy, before they advanced to the conflict. Every one must see that the country was in a state of great danger, and it was to assist in warding it off, that

he had been induced to leave his private sphere of action, and to lift up his voice at this meeting in defence of the sacred interests of the constitution. He would propose an addition to the address in this spirit, and he thought this more especially necessary, on account of certain measures that had been adopted, and certain steps that had been taken, by persons in authority, as to the merits of which he deprecated all discussion at present. Certain it was, however, that these transactions had given rise to dissension; they had divided those who ought to be united, and had given a handle to the enemies of the constitution. They appeared to offer encouragement to rash and dangerous measures, and indicated a disposition to deal beyond the law, and to discountenance the subject in the exercise of his constitutional rights. The addition he proposed to make cautiously avoided any reference to these points; nor had he, in the want of sufficient evidence, formed any decided opinion as to these transactions, although they were differently viewed by persons of unquestioned loyalty. Mr Jeffrey then proceeded to read the addition he proposed to the address. The amendment expressed the sympathy of the meeting for the distresses of the lower orders; and while it urged the necessity of counteracting the designs of the evil-disposed, who took advantage of these distresses to drive the people to measures only calculated to increase their miseries, expressed a hope that, in so doing, every degree of conciliation should be employed; that there would be no unnecessary use of force; and that every practicable retrenchment should be adopted, in order to lighten the burdens of the working classes. The meeting would judge

of the different propositions which he had submitted to them. The great object of his anxiety was to conciliate the lower orders; and this addition would do away the impression that the higher classes were indifferent to the rights of their fellow-citizens, or that they looked upon them with a grudging eye. The tone of his propositions was just and reasonable. They might have allusions, they might contain monitory cautions, and references to transactions of a questionable nature. (*General cries of "Hear, hear."*) He had no wish to evade or to deny this—he did not wish to mince the matter—they alluded unquestionably to the transactions at Manchester, although, in stating that no encouragement should be given to the unnecessary use of force, he had no wish to prejudge the question; because he did not know what information his Majesty's Government might be possessed of which might justify those transactions. The propositions pledged the meeting to no specific opinion on what had passed. They merely contained an expression of sympathy for the distresses of the people, and a denunciation of the unnecessary use of force: and he concluded by expressing a hope that the meeting would have no scruple in adding them to the address proposed by the Noble Earl.

Mr Jeffrey's amendment being seconded by Mr J. A. Murray, Lord Rosebery said, he would vote in support of the original address, as it appeared to him that the same spirit was abroad which, in 1793, had shaken the institutions of the country. The attacks of the disaffected were now levelled against Christianity; and to discountenance these, it was the sincere impression of his mind, that the original address was imperiously called for. He regret-

ted extremely differing with those whose sentiments, generally, he was in the habit of approving; but he must follow the line of conduct which duty prescribed to him.—Mr Gibson of Ingliston, said, that it was satisfactory to observe, that there was no difference of opinion on the essential point of standing by the constitution of the country; the only question was, how that constitution could be best supported—whether by conciliation or by force. He approved of the amendment, and he would not attempt to weaken what had been so well said in support of it. Alluding to the measures which had been adopted in this quarter for the relief of the people, he did not see that they could be wrong in recommending that those measures of conciliation which had been adopted with such happy effect here, should be followed out in the general system. He then warmly eulogised the conduct of the Magistrates of Glasgow, for the mildness and conciliation with which they had treated the people, and recommended the same conciliatory line to the Executive Government.—Sir George Clerk could not have anticipated the want of unanimity where it was so desirable. He could not help expressing his astonishment at hearing any allusion introduced to the transactions at Manchester. The question they were discussing was not a party one: it was, whether we should be delivered over to the horrors of anarchy. One learned gentleman had amused them with specious sophistry; but the gentleman who spoke last had thrown off the mask. He spoke out distinctly. What had the transactions at Manchester, or the dismissal of Earl Fitzwilliam, to do with the business of this meeting? Parliament and the Courts of Law were

the proper places to decide on these. For his part, destitute as they were of all information, he wondered they could be introduced with a grave face. The great body of the people he believed, were attached to their King and country; and the blasphemous publications which had been circulated, had happily not produced very extensive effects. He deeply deplored the distresses of the manufacturing districts: but to adopt the amendment would rather be injurious to their interests. It therefore met with his decided opposition, and he hoped to see the original address carried without one dissenting voice.—Mr James Stuart expressed his strong attachment to the constitution, and his hostility to the doctrines of radical reform. He concurred in the propriety of holding such meetings, and voting such addresses; but he did not see how it could tend to strengthen Government not to tell them the truth. Mr Stuart then adverted to the question of Parliamentary reform, when he was called to order by the chair. He concluded with stating, that he did not believe blasphemous pamphlets were disseminated in this county. In the county with which he was connected, he made a point to stop every lawker he met, and he generally found their stock of books to consist of the *Evangelical Magazine*, *Hervey's Meditations*, and the publications of the Religious Tract Society.—Mr J. A. Murray regretted to intrude himself on the attention of the meeting; but requested their indulgence for some observations as to that part of his learned friend's amendment which had been misunderstood, he would not say wilfully misrepresented. He rejoiced to find that there was not a shadow of difference in the meeting on the great questions that respected the constitution.

The crisis was unquestionably one of deep importance; and he would cordially approve of a loyal address from this county. But as that address contained their opinion on the state of the nation, he could not see the propriety of withholding the most important part of that opinion. Principles of the highest importance should be made known; and their being debated in Parliament was no reason why they should refrain from expressing their opinion. He then read different passages of the amendment, on which he commented with great animation. Mr Murray expressed his surprise that the meeting had been called on so short a notice, and concluded with stating, that in what he had said he was impelled by an imperious sense of duty, but was actuated by no feeling of animosity to those who were of different sentiments. The original address was then carried by a great majority.

20. INSURRECTION IN SANTA MAURA.—In September last, an impost was laid on the flocks and herds, which are very numerous in the mountainous parts of Santa Maura, Cephalonia, and Zante. The experiment of this financial measure having been made on the first of these islands, the country people remonstrated with the local authorities; but before redress could be obtained, an insurrection began in the village of Sfachiotes, and soon spread through the rest of the island; the people opposed the collectors of customs, whose chief, Signor Siciliano, was killed. Military force having been sent from the garrison, the insurgents on the 3d instant proceeded towards the city. Major Stovin, the British Commandant, with part of the garrison, took up a position on the hill that commands the main road, with a view to protect the town; and on the approach of the insurgents, a

regular action took place, in which it is said that thirteen men were killed, and several wounded on both sides. Major Stovin having retired with his detachment to the fortress, in order to secure it, the country people entered the town, and assailed and burnt the houses of those persons who were known to have supported the new tax. Sir Thomas Maitland being absent from the islands when the news of the affair reached Corfu, Sir Frederick Adam sent 350 men, with artillery, to Santa Maura. This reinforcement not proving sufficient, a second was sent in haste, and hopes are entertained that with its assistance the insurrection will be quelled. There are some apprehensions that the same spirit may manifest itself in other islands, particularly in Zante and Cephalonia, the inhabitants of which might make a stand in their mountains for a long time.

26. HURRICANE IN BARRADOES.—This island, which escaped the hurricane in September, so fatal to some of the neighbouring islands, was visited last month by a similar calamity. The storm is described as the most dreadful that has occurred in the island since 1780, the anniversary of which was commemorated on the 11th ult., by a solemn fast. On the 13th the gale commenced, attended with torrents of rain, which continued during the whole of the following day. The evening closed with the most terrific appearance, as if giving notice of the dreadful havoc that was to ensue. The wind and the rain increased, and the deluge of water became so irresistible, that it brought down the gully at Bridgetown, formed to carry off the freshes from the country, with impetuous fury, sweeping before it Constitution-bridge, and every building in its course; and soon after, that beauti-

ful structure, the New-bridge, which cost the colony so much money, was demolished in an instant. The morning of the 15th dawned upon this scene of desolation, the hurricane continuing with unabating fury. About seven o'clock the appearance of the town throughout became distressing beyond description; the water had risen in the streets to three or four feet, and in many places as high as five feet; nothing but confusion and alarm appeared. The families were seeking protection and security in other quarters. Men were seen wading up to their middles protecting their wives and children; the servants conveying what property they were able to carry, but scarcely knowing whither to turn with it. The hurricane terminated at six on the evening of the 15th. A complete detail of the injury the island has sustained cannot be given, as the particulars of the state of the interior had not all been collected when the accounts came away. The plantations have more or less felt the effects of the wind among their buildings, some of which have been blown down, and others unroofed; the negro houses, as far as could be ascertained, have been mostly destroyed. The canes on some estates have been torn up by the roots, and in others levelled with the ground. Among the plantations more particularly injured, are Ashbury, Bennett's, Duke's, Pilgrim, Belgrove, and Grove's estates; but it is believed that not a single spot on the island has wholly escaped. In a division of the parish of St. Andrew, called Scotland, there was scarcely a small house left standing, and the plantain trees were nearly all destroyed. At Forster-hall estate, near Joe's-river, some singular and awful phenomena occurred. Several of the buildings sunk under the earth, and were

totally destroyed; and a house, where a flock of sheep and some cattle were lodged, was swallowed up and entirely lost. A wood adjoining, suddenly moved down to the spot where Forster-Hall buildings stood; a field of young canes took possession of a spot where a field of potatoes had been, and which slid into the sea. A sinking of the earth occurred in other parts of the island; the dwelling of ~~John D. B. B.~~ in the parish of St Thomas, gave way, and was nearly buried in the earth; the family had fortunately quitted it. Speight's-town has suffered considerably; and Irish-town, it is said, is completely joined with the sea. The damage among the shipping was considerable; but several vessels were able, by taking measures of precaution, suggested by the appearance of the atmosphere before the hurricane commenced, to ride it out in safety. No return had been obtained of the number of lives lost; but it was imagined, under all the circumstances of this dreadful calamity, that it was smaller than might have been expected.

27. COUNT ITTERBERG. — The heir of the ill-fated Gustavus, Ex-King of Sweden, recently arrived in Edinburgh, where he is to reside for several months, with a view to the furtherance of his education. The title he assumes is that given at the head of this article. He is accompanied by Baron Porlier. He is a young man of nineteen or twenty, and is of a manly and modest address. Count Itterberg is nephew to the Emperor Alexander.

28. RIOM. — At the Court of Assizes of this place two of the assassins of Nismes, Servant and Truph  my, have been found guilty, the former of having, on the 20th of October 1815, murdered Lichaire,

an inhabitant of Nismes; and the latter, Lieutenant Bourillon, a protestant of the same place. The court of Cassation has confirmed the verdict against Servant, but set aside that against Truph  my, on the ground that one of the twelve jurors being absent on the day of trial, his place had been supplied by a supplementary jurymen, without the express consent of the accused, as provided by the law.

29. OLDHAM INQUEST. — By a decision of the Court of King's Bench, of this date, the whole proceedings in this inquest have been declared altogether irregular from its inception to its conclusion, and, therefore, null and void. The Court stated, that they felt the less reluctance in coming to this conclusion, from the tampering and irregularities that had taken place, and from the conviction that no hindrance would thereby be given to public justice.

THE NAVY. — The following is a correct return of ships building, and ordered to be built, in the several dock-yards, with the number of guns they are intended to carry:—

PLYMOUTH.		DEPTFORD.	
2.....of.....	120 guns	1.....of.....	60 guns
1.....	104 —	6.....	46 —
1.....	74 —	2.....	28 —
1.....	60 —	3.....	10 slps.
1.....	50 —	2 bombs.	
2.....	46 —		
2.....	28 —	PEMBROKE.	
3.....	10 slps.	2.....of.....	84 guns
2 bombs.		6.....	43 —
1 cutter.		2.....	28 —
		4.....	10 slps.
CHATHAM.		1 bomb	
1.....of.....	120 guns	1 cutter.	
4.....	106 —		
2.....	84 —	WOOLWICH.	
5.....	46 —	1.....of.....	84 guns
3.....	28 —	1.....	80 —
3.....	10 slps.	1.....	74 —
1 bomb.		2.....	60 —
DEPTFORD.		4.....	46 —
1.....of.....	84 guns	2.....	28 —
1.....	74 —	4.....	10 slps.

PORTSMOUTH.		SHEERNESS.	
1.....of.....	104 guns	2 sloops of 10 guns.	
2.....	74 —		
1.....	60 —		
4.....	46 —		
		BOMBAY.	
2.....	28 —	2.....of.....	84 guns
1.....	20 —	1.....	74 —
3.....	10 slps.	1.....	46 —

Total.—3 of 120 guns, 1 of 106, 2 of 104, 8 of 84, 1 of 80, 6 of 74, 5 of 60, 1 of 50, 29 of 46, 13 of 28, 1 of 20, 22 sloops of 10, 6 bombs, 2 cutters—Grand Total, 100.

DECEMBER.

4. WINDSOR BULLETIN.—His Majesty's disorder has undergone no alteration. His Majesty was indisposed for two days a fortnight since, but has now recovered his ordinary bodily health, which is good considering his great age.

6. EXECUTION OF STATE CRIMINALS AT CONSTANTINOPLE.—The following is an extract of a letter from a respectable firm, dated Constantinople, October 25. :—" On the 16th the two elder Duzoglies were beheaded at the Seraglio gates, and two others, a brother and a cousin, hung at the door of one of their country houses on the Bosphorus. On the 17th the head of Apturaman Bey, (late Director of the Mint) who had been sent into exile with a pension of 30,000 piastres, was brought to town and placed by the two first mentioned, where they remained three days. On the 23d, another of the Duzoglies, who had been absent on account of bad health, was brought in, and of course placed in confinement. Nothing has yet been done with respect to the other parties implicated: but there can be no doubt that, as soon as every thing

is confessed and recovered, to which it is said they have been enforced by torture, the same fate is reserved for them. The property found in Duzoglies' possession, and what was discovered elsewhere, exceeds credibility; and what has been sold brings prices far beyond the original cost; for the Government forces the rich bankers and other royals to attend; and what the Turkish nobles do not want for themselves, is knocked down to them at any rates they please. If it be true that thirty to forty horses sold for 150,000 piastres, and the women's dresses alone produced 900,000 piastres, as I have been assured by persons who were present, it would be in vain to offer a guess at the produce of the immense stock of jewellery, gold and silver dishes, furniture, &c., which latter is of the most magnificent and costly kind; but if the demands of the Government amount to more than 10,000,000 of piastres, it may be fairly inferred that they have recovered that sum eight fold; for, independently of the property of the Duzoglies, (or rather of the public in general) the parties now under arrest were possessed of great wealth; and the Turk at the head of the Mint, who was son-in-law to Chelebee Effendi, was reputed to have 40,000,000. A great number of families have been ruined by this event, they having placed their funds at interest in the hands of the Duzoglies, and there is hardly a respectable dealer in jewellery in the place who is not implicated, either for property sold, or intrusted to them for sale, the whole of which has fallen into the hands of Government, and is selling off by public auction. When individuals under foreign protection have seen and claimed their property whilst under the hammer, can get no redress, you may judge what chance remains to the poor royals."

9. SECOND MEETING AT HUNSLET-MOOR.—A meeting was held this day upon Hunslet-moor, in pursuance of a notice issued by the Secretary of the Leeds Union Society for Parliamentary Reform, to take into consideration the present state of the country, and the propriety of presenting a petition or remonstrance to the Prince Regent, against the laws now in progress through Parliament, affecting the rights of the people. The meeting was more numerous than that which had been held in this place previous to the fatal 16th of August, probably owing to the apprehensions which were generally entertained that the proceedings would be interrupted by magisterial or military interference, and which apprehension the assurance of the Mayor had not been made known sufficiently wide to allay. The meeting, when most numerous, did not consist of more than 2,000 persons.

15. MR HOBHOUSE.—The following are the circumstances attending the arrest of Mr Hobhouse, in consequence of the House of Commons having declared him guilty of a breach of privilege, in publishing some offensive remarks on the members: Mr Hobhouse, with his friend Mr M. Bruce, was at No. 1, in New Street, Spring Gardens, about six o'clock this evening, when a messenger of the House of Commons, acting as deputy serjeant at arms, made his appearance, and produced the Speaker's warrant as his authority for taking Mr Hobhouse into custody. Mr Hobhouse said, he considered the warrant to be illegal, and the tribunal, which had condemned him unheard, and in his absence, to be also illegal; and that he refused to obey the warrant. The messenger replied, that he had brought a force with him to execute the warrant, and the men were in the house. Mr Hobhouse desired him to carry

back his refusal to the Speaker; but the messenger said he could not quit him. "Then," replied Mr Hobhouse, "you must use force, for I will submit to nothing else." Two other messengers soon after made their appearance; when the first messenger, laying his hand on Mr Hobhouse, said, "You are my prisoner." Mr Hobhouse then replied, "I must submit to force, but I protest against this illegal seizure, and desire you to inform the Speaker thereof." Mr Hobhouse was immediately taken to Newgate, by two of the messengers, in a hackney coach.

15. COURT-MARTIAL ON SURGEON STOKOE.—At a Court-martial held on board his Majesty's ship *Conqueror*, in St Helena-roads, on the 30th day of August, and continued till the 2d of September, to try Mr John Stokoe, surgeon of the said ship, for improper conduct with regard to certain particulars relative to his intercourse with the French prisoners detained at the island of St Helena, and on the following charges:—1st, For having, on or about the 17th of January last, when permitted, or ordered, by Rear-Admiral Plampin, Commander in Chief of his Majesty's ships and vessels at the Cape of Good Hope, and the seas adjacent, &c., to visit Longwood, for the purpose of affording medical assistance to General Buonaparte, then represented as being dangerously ill, communicated with the said General or his attendants, upon subjects not at all connected with medical advice, contrary to standing orders in force for the government of his Majesty's naval officers at St Helena: 2d, For having, on or about the said day, on receiving communications, both in writing and verbally, from some of the French prisoners at Longwood,

taken notice of, and given an answer to, such communications, previous to making the same known to the Commander-in-Chief, contrary to the said standing order: 3d, For having, in pursuance of such unauthorised communication, signed a paper, purporting to be a bulletin of General Buonaparte's health, and delivered the same to the said General or his attendants, contrary to the said orders, and to his duty as a British naval officer: 4th, For having, in such bulletin, stated facts relative to the health of General Buonaparte, which did not fall under his, the said Mr John Stokoe's, own observation, and which, as he afterwards acknowledged, were dictated or suggested to him by the said General, or his attendants, and for having signed the same as if he had himself witnessed the said facts, which was not the truth, and was inconsistent with his character and duty as a British naval officer: 5th, For having, in the said bulletin, inserted in the following paragraph:—"The more alarming symptom is that which was experienced in the night of the 16th, a recurrence of which may soon prove fatal, particularly if medical assistance is not at hand," intending thereby, contrary to the character and duty of a British officer, to create a false impression, or belief, that General Buonaparte was in imminent or considerable danger, and that no medical assistance was at hand, he, the said Mr John Stokoe, not having witnessed any such symptom, and knowing that the state of the patient was so little urgent, that he was four hours at Longwood before he was admitted to see him, and further knowing that Dr Verling was at hand, and ready to attend, if required, in any such emergency: 6th, For having, contrary to his

duty, communicated to General Buonaparte, or his attendants, information relative to certain books, letters, and papers, said to have been sent from Europe for the said persons, and which had been intercepted by the Governor of St Helena, and for having conveyed to the said General or his attendants, some information respecting their money concerns, contrary to his duty, which was to afford medical advice only: 7th, For having, ~~copied~~ ^{copied} his duty, and to the character of a British naval officer, communicated to the said General Buonaparte or his attendants, an infamous and calumnious imputation cast upon Lieut.-General Sir Hudson Lowe, Governor of St Helena, by Barry O'Meara, late a surgeon in the Royal Navy, implying that Sir H. Lowe had practised with the said O'Meara to induce him to put an end to the existence of the said General Buonaparte: 8th, For having disobeyed the positive command of his superior officer, in not returning from Longwood on or about the 21st of January aforesaid, at the hour especially prescribed to him by the Rear-Admiral, there being no justifiable cause for his disobeying such command: 9th, For having, knowingly and wilfully, designated General Buonaparte, in the said bulletin, in a manner different from that in which he is designated in the Act of Parliament for the better custody of his person, and contrary to the practice of his Majesty's Government, of the Lieut.-Gen. Governor of the island, and of the said Rear-Admiral, and for having done so at the special instance and request of the said General Buonaparte or his attendants, though he, the said Mr John Stokoe, well knew that the mode of designation was a point in dispute between the said General

Buonaparte and Lieut.-General Sir H. Lowe and the British Government, and that by acceding to the wish of the said General Buonaparte, he, the said Mr John Stokoe, was acting in opposition to the wish and practice of his own superior officers, and to the respect which he owed to them under the general printed instructions: 10th, For having, in the whole of his conduct in the after said transactions, evinced a disposition to thwart the intentions and regulations of the said Governor, and of the said Rear-Admiral, and to further the views of the French prisoners, in furnishing them with false or colourable pretences for complaint, contrary to the respect which he owed to his superior officers, and to his own duty as an officer in his Majesty's Royal Navy. —The Court having heard the evidence in support of the charges, as well as what the prisoner had to offer in his defence, and having considered the whole with the most minute attention, is of opinion, that his conduct (with respect to certain particulars relative to his intercourse with the French prisoners detained at St Helena) being improper, is proved; that the 1st charge is proved; that the 2d charge is proved; that the 3d charge is proved; that the 4th charge is proved; that the 5th charge is proved; that the 6th charge is proved; that the 7th charge is proved; that the 8th charge is proved; that on the 9th charge it is proved, he called General Buonaparte "the patient;" that the 10th charge is proved. The Court do therefore adjudge the said Mr John Stokoe to be dismissed his Majesty's service; but in consideration of his long services, recommend him to the consideration of the Admiralty for half-pay. Signed by the president, Captain Stanfell, and Captains

Wauchope, G. Rennie, Sir W. S. Wiseman, Bart. and J. H. Plumb-ridge; as also by the Judge Advocate.

MISS O'NEILL.—On the morning of this day, William Wrixon Becher, Esq., a gentleman of very considerable property, and the representative for Mallow in Parliament, led to the hymeneal altar the lovely and eminently-accomplished Miss O'Neill, with whose virtues and talents the public are so well acquainted. The ceremony was performed at Kilsfane-church, by the Hon. and Rev. the Dean of Ossory. The happy pair are to remain a few days at Kilsfane-house, the hospitable mansion of John Power, Esq., after which they proceed to the Dean of Lismore's, on their way to the seat of Mr Becher, in the county of Cork.

22. TRIAL OF KINLOCH OF KINLOCH, FOR SEDITION. — The High Court of Justiciary met this day for the trial of George Kinloch of Kinloch, on a charge of sedition, founded on a speech made by him at a meeting of Radicals held at Dundee, where he presided. Having failed to appear, sentence of outlawry was pronounced against him, and the bail-bond granted for his appearance forfeited. The Lord Justice-Clerk thanked the Jury for their attendance; and although he regretted the trouble to which they had been put in attending when no trial had taken place, he trusted they must be satisfied that it was not owing to any fault of the public prosecutor, who had done his duty. His Lordship then said, that he hoped the Crown counsel would take most especial care that this individual should not be permitted to remain anywhere within these realms without being brought to trial for the very serious charge which had been preferred against him. The Solicitor-General

stated, that he hoped it was unnecessary for him to say, that the Lord Advocate, and those who were bound to concur with him in the discharge of their public duty, would use every exertion to convince the public that the law was inflexible in its course, and would be administered with the same impartiality to this individual, as to the meanest of his Majesty's subjects.

23.—In the Court of King's Bench, Lord Ranelagh was found guilty of having applied several offensive epithets to Counsellor Adolphus, for the purpose of provoking him to fight a duel. The circumstances of this case arose out of a late trial at the Middlesex sessions.

24. SIR GREGOR M'GREGOR.—The Jamaica papers contain a narrative of another expedition by MacGregor, which failed, no less disgracefully than that of Porto Bello. The present relation is signed by a few of the surviving victims of an ill-judged attack upon Rio de la Hache, a town of New Granada, to the westward of the Gulf of Maracaybo. With two hundred men, the remnant of more than one thousand two hundred brave English soldiers, who had mostly perished through hunger or disease, M'Gregor sailed from Aux Cayes for the above-mentioned Spanish town. The place was gained, though with the loss of nearly one-third of our unfortunate countrymen,—and lost after a very few days; when hardly one of them escaped the edge of the sword. The commander-in-chief remained on board his ship until after the first action ended, and betook himself to sea again before the second began: never having seen blood drawn, nor heard a shot fired throughout the whole expedition. Eight officers, including Colonel Norcott, who had hitherto bravely headed the troops,

abandoned their unworthy leader at Rio de la Hache, and published the statement to which we refer, as a protest against the conduct of MacGregor, and an exposure of his character and pretensions to the world.

28. SINGULAR AFFAIR AT LEEDS.

—A strong sensation has been occasioned in this town, by the discovery of a human being who has been incarcerated in chains in the house of his parents for upwards of fifteen years. On Wednesday last, the mother of this unfortunate young man, whose name is Benjamin Surr, applied to the committee of the Leeds workhouse, stating that she was in want of relief for her son, who was not of sound mind. The committee, on investigating the case, found that the family belonged to another township, and referred her to the overseers of that place. On the following day, the old woman had a fatal accident: while walking in the streets, she came upon a piece of ice, and falling backward, fractured her skull so dreadfully, that after languishing till Friday she expired. One of the neighbours, moved by her situation, went into the house, the door of which was usually locked, and after rendering the last offices to her remains, walked into the cellar to wash her hands. While in that situation, she heard a moan as from a human voice, and on examination she found that it proceeded from an object, so neglected and destitute, that it was difficult to say whether he was of the human or the brute species. This discovery was communicated to the neighbours, and a considerable number of persons assembled round the house, which is situated at the Black Bank; but John Surr, the father of the family, had locked the door and refused to admit any of them. The overseers and constable were then sent

for, and promptly attended the summons, but the old man, probably from an apprehension of the fury of the populace, refusing still to open the door, they were obliged to force their way into the house. On obtaining admission, they proceeded into the cellar, and here they found the unfortunate man squatted under the cellar steps, chained by a leg to the wall, and in so loathsome a state that it was evident he had not been ~~was~~ ^{was} ~~in~~ ⁱⁿ ~~the~~ ^{the} ~~cellar~~ ^{cellar} ~~for~~ ^{for} ~~many~~ ^{many} ~~years~~ ^{years}. "Sharp misery had worn him to the bones;" a few sacks and a little straw served him for a bed; his appearance was that of a spectre; and his bones had in several places penetrated through his skin, which was much excoriated. As a first step the parish officers ordered him to be taken to the workhouse; and on viewing a comfortable bed which had been prepared for him, he exclaimed—"What! is this for me? God bless you! You will go to heaven for this!" and other expressions of a similar import. Sometimes he converses freely, but frequently incoherently. There is, moreover, a vacuity in his look, which shows a defect of mind. He appears, however, to be perfectly inoffensive and tractable, and it is evident that he knows and feels the difference between his present and his late situation. When the young man, who seems to be about thirty years of age, was taken to the workhouse, his father was taken to the prison, and underwent a private examination before the Magistrates at the Court-house. The reason, we understand, that was assigned by the old man for keeping his unfortunate

son in the situation in which he was found, was, that he was deranged in his intellect, and required restraint. It also appeared, that the prisoner had always maintained a good character; and though it is impossible to justify his conduct towards his son, the nature of his offence was not judged to be cognizable by the law; it was therefore determined that he should be discharged.

30. PARISIAN STATISTICS.—The present population of Paris is estimated at 714,000 souls, of whom 25,000 are not domiciliated; the number of houses is about 26,801, containing about 225,000 hearths or families; the mean number of births and deaths is about 21,000; and the proportion of male to female births is as 25 to 24; of which a third part are natural children. The city of Paris alone pays about a ninth part of all the taxes levied on France, or about 98 millions of livres, which is about 168 livres to each individual; whereas, in the provinces, the average taxes paid by each individual are calculated at 26 or 27 livres. The medium annual consumption of bread is estimated at 113,880,000 kilogrammes; that of wine at 870,000 hectares; that of butcher meat at 70,000 oxen, 9,000 cows, and 78,000 calves; that of wood at 1,160,000 *stères*. The amount of pious donations received during the first half of the present year has been 1,897,891 francs; while that of the *spectacles*, for the whole year, has been estimated at 5,012,866 francs. Last year the number of suicides in Paris was 330: during this, it has just been found to be 376.

No. V.
PUBLIC
AND
PARLIAMENTARY PAPERS.

No. V.

PUBLIC

AND

PARLIAMENTARY PAPERS.

ACCOUNTS OF THE INCOME OF THE UNITED KINGDOM IN THE
YEAR ENDING THE 5th OF APRIL 1819.

Revenue, distinguishing the Consolidated Fund, the Annual Duties, and the War Taxes.	Year ended 5th April 1818.	Year ended 5th April 1819.
Customs - - - - -	L. 7,162,379	L. 7,580,038
Excise - - - - -	16,799,725	19,058,925
Stamps - - - - -	6,433,569	6,373,268
Post-office - - - - -	1,332,000	1,358,000
Assessed Taxes - - - - -	6,176,839	6,135,426
Land Taxes - - - - -	1,187,065	1,179,827
Miscellaneous - - - - -	467,547	370,058
Unappropriated War Duties - - - - -	59,068	180,184
Total Consolidated Fund - - - - -	39,598,192	42,235,726
ANNUAL DUTIES TO PAY OFF BILLS.		
Customs - - - - -	2,690,469	2,531,874
Excise - - - - -	251,872	623,047
Pensions, &c. - - - - -	- - -	16
Total Annual Duties - - - - -	2,941,841	3,154,937
Permanent and Annual Duties - - - - -	42,540,035	45,390,663
WAR TAXES.		
Excise - - - - -	3,184,950	3,438,551
Property - - - - -	1,522,648	227,349
Total War Taxes - - - - -	4,707,598	3,665,900
Total Revenue, distinguishing the Consolidated Fund, the Annual Duties, and War Taxes - - - - -	47,247,631	49,056,563
REVENUE, DISTINGUISHING THE CUSTOMS AND EXCISE.		
Total produce of Customs, as particularized above - - - - -	9,852,848	10,111,912
Total produce of Excise, as ditto - - - - -	20,236,047	23,120,523
Stamps, Post-office, Assessed, Property, and Land Taxes, Miscellaneous, and Unappropriated Duties and Pensions, &c. as ditto - - - - -	17,158,736	15,824,128
Total Révenuc, distinguishing Customs and Excise - - - - -	47,247,631	49,056,563
Deduct the Receipts upon Property and Unappropriated War Duties - - - - -	1,561,716	407,553
Total Revenue, exclusive of Property and Unappropriated War Duties - - - - -	45,685,915	48,649,010

An Account of the Excise Duties of Great Britain (exclusive of any Arrears received of the War Duty on Malt,) in the Years and Quarters ending the 5th of April 1818 and 1819, showing the Increase or Decrease on each head thereof:—

	Years ended the 5th of April		Increase.	De- crease.
	1818.	1819.		
Auctions - - - -	£ 249,686	267,070	17,384	
Beer - - - -	2,333,412	2,718,018	384,606	
Bricks and Tiles - - -	242,329	319,571	77,242	
Candles - - - -	292,771	299,383	6,612	
Coffee and Cocoa - - -	123,790	110,030		13,760
Cider, Perry, and Verjuice -	15,261	21,418	6,157	
Glass - - - -	332,823	497,611	164,713	
Hides and Skins - - -	579,558	615,331	36,173	
Hops - - - -	68,912	107,510	38,598	
Licenses - - - -	635,818	683,320	47,502	
Malt - - - -	1,954,090	3,006,143	1,052,053	
Paper - - - -	436,277	486,971	50,694	
Printed Goods - - -	298,673	433,902	135,229	
Salt - - - -	1,444,618	1,518,498	73,860	
Soap - - - -	912,979	845,627		67,352
Spirits { British - - -	2,714,753	3,210,959	496,206	
{ Foreign - - -	2,013,995	2,159,922	145,927	
Starch - - - -	27,650	51,241	23,611	
Stone Bottles - - -	327	2,374	2,047	
Sweets - - - -	9,490	15,248	5,758	
Tea - - - -	2,904,822	3,097,746	192,924	
Tobacco and Snuff - - -	1,471,339	1,470,692		647
Vinegar - - - -	36,527	42,326	5,799	
Wine - - - -	1,128,665	1,137,311	8,646	
Wire - - - -	7,486	7,593	107	
	20,235,631	23,125,815	2,971,943	81,759
Deduct Decrease - - -	-	-	81,759	
Increase on the year - - -	-	-	2,890,184	

	Quarters ended April 5.		Increase.	De- crease.
	1818.	1819.		
Auctions - - - -	57,822	53,927		3,895
Beer - - - -	576,002	638,054	61,992	
Bricks and Tiles - - -	40,474	48,532	8,058	
Candles - - - -	105,692	101,444		4,248
Coffee and Cocoa - - -	33,075	29,095		3,980
Cider, Perry, and Verjuice -	1,724	13,381	11,657	
Glass - - - -	117,569	165,115	47,444	
Hides and Skins - - -	162,520	172,667	10,147	
Hops - - - -				
Licenses - - - -	82,652	78,764		3,888
Malt - - - -	162,014	166,770	4,756	
Paper - - - -	119,818	119,945	127	
Printed Goods - - -	123,372	145,339	21,967	
Salt - - - -	424,838	446,700	21,862	
Soap - - - -	219,473	168,508		50,965

		Quarters ending April 5.		Increase.	Decrease.
		1818.	1819.		
Spirits	{ British	912,880	948,321	35,441	
	{ Foreign	495,260	596,063	100,803	
Starch		9,701	12,049	2,348	
Stone Bottles		101	582	481	
Sweets		1301	1756	365	
Tea		805,826	804,119		1,707
Tobacco and Snuff		402,936	416,947	14,011	
Vinegar		7,872	10,180	2,308	
Wine		286,605	258,051		48,552
Wine		1,970	1,671		299
		5,51,805	5,377,978	343,707	117,534
Deduct Decrease		-	-	117,534	
Increase on the Quarter		-	-	226,173	

Abstract of the Net Produce of the Revenue of Great Britain, exclusive of the Arrears of War Duty on Malt and Property, in the Years and Quarters ending the 5th of April 1818, and 5th of April 1819, showing the Increase or Decrease on each head thereof.

	Year ended April 5.		Increase.	Decrease.
	1818.	1819.		
Wines	9,852,848	10,111,912	259,064	
Excise	20,236,047	23,120,523	2,884,476	
Stamps	6,433,569	6,373,268	~~~~~	60,301
Post-office	1,332,000	1,358,000	~~~~~	
Assessed Taxes	6,176,839	6,135,426	~~~~~	41,413
Land Taxes	1,187,065	1,179,827	~~~~~	7,238
Miscellaneous	467,547	370,074	~~~~~	97,473
	45,685,915	48,649,030	3,169,540	206,425
Deduct Decrease			206,425	
Increase in the Year			2,963,115	

	Quarters ended April 5.		Increase.	Decrease.
	1818.	1819.		
Customs	2,003,661	2,119,350	115,686	18,002
Excise	5,151,805	5,377,878	226,073	
Stamps	1,588,759	1,570,757		
Post-office	336,000	355,000	19,000	
Assessed Taxes	917,414	835,246	~~~~~	82,168
Land Taxes	178,295	148,440	~~~~~	29,855
Miscellaneous	73,270	75,245	1,975	
	10,249,207	10,481,916	362,734	130,025
Deduct Decrease			130,025	
Increase in Quarter			232,709	

*Income and Charge on the Consolidated Fund, in Quarters, ended the
5th of April 1819*

INCOME.							
Customs	-	-	L. 1,685,34	Civil List	-	-	257,00
Excise	-	-	4,358,55	Pensions	-	-	116,00
Stamps	-	-	1,570,72	Imperial Annuities	-	-	9,17
Post-office	-	-	355,00	Other Charges	-	-	179,56
Assessed Taxes	-	-	832,24	Bank Management	-	-	252,55
Land Taxes	-	-	148,44				
Miscellaneous	-	-	75,24	Income, as above	-	-	L. 9,770,00
Unappropriated War Duties	-	-	95,79				9,621,70
			L. 9,124,38	Deficiency	-	-	148,30
To be brought from Supplies, bearing the amount issued out of the Consolidated Fund of Ireland, for Public Services, in the January Quarter, 1819,							148,30
			497,31	Deficiency as above	-	-	148,30
Total Income	-	-	L. 9,621,70	Deficiency at 5th of January 1819, made good by issue of Bills, paid off out of the growing produce of the April Quarter, Bills deposited in the Tellers' Chest, to answer a like amount, issued out of the growing produce of the same Quarter			3,364,866
CHARGE.							2,637,000
Exchequer Annuities	-	-	L. 23,74	Total amount to be provided for by Bills charged on the growing produce of the July Quarter 1819,			1 6 150 166
South Sea Company	-	-	153,45				
Bank, on their Capital	-	-	89,12				
Dividends	-	-	5,794,68				
National Debt	-	-	2,954,69				

Abstract of the Net Produce of the Revenue of Great Britain, in the Years and Quarters ending the 5th of July 1817, 5th of July 1818, and 5th of July 1819, distinguishing the Consolidated Fund, the Annual Duties, and the War Taxes, and also distinguishing the Customs and Excise.

REVENUE—Distinguishing the Consolidated Fund, the Annual Duties, and the War Taxes.	Years ended 5th of July,		
	1817.	1818.	1819.
Customs.....	5,367,836	9,898,556	7,347,081
Excise.....	17,072,066	17,627,354	19,115,307
Stamps.....	6,030,997	6,443,768	6,308,177
Post-office.....	1,360,000	1,333,000	1,401,000
Assessed Taxes.....	5,933,664	6,169,009	6,184,410
Land Taxes.....	1,187,413	1,165,621	1,172,184
Miscellaneous.....	258,688	517,669	320,561
Unappropriated War Duties.....	1,417,755	22,235	216,447
Total Consolidated Fund.....	38,628,419	41,175,212	42,065,167
ANNUAL DUTIES TO PAY OFF BILLS.			
Customs.....	2,900,109	2,101,823	3,152,326
Excise.....	532,744	273,961	634,832
Pensions, &c.....	4,016		16
Total Annual Duties.....	3,436,869	2,375,784	3,787,174
Permanent and Annual Duties.....	42,065,288	43,550,996	45,852,341
WAR TAXES.			
Customs.....	556		
Excise.....	3,629,404	3,277,799	3,436,029
Property.....	4,725,119	1,204,749	72,910
Total War Taxes.....	8,355,079	4,482,548	3,508,939
Total Revenue, distinguishing the Consolidated Fund, the Annual Duties, and the War Taxes.....	50,420,367	48,033,544	49,361,280
REVENUE—distinguishing the Customs and Excise.			
Total Produce of Customs, as particularized above.....	8,268,501	10,000,379	10,499,407
Ditto of Excise, as ditto.....	21,234,214	21,179,114	23,186,168
Ditto of Stamps, Post-office, Assessed, Property, and Land Taxes, Miscellaneous and Unappropriated Duties and Pensions, as do.....	20,917,652	16,854,051	15,675,705
Total Revenue, distinguishing the Customs and Excise.....	50,420,367	48,033,544	49,361,280
Deduct receipt upon Property, War Duty on Malt, and Unappropriated Duties.....	6,660,476	1,226,984	289,357
Revenue, exclusive of Property, War Duty on Malt, and Unappropriated Duties.....	43,759,891	46,806,560	49,071,923

REVENUE—Distinguishing the Consolidated Fund, the Annual Duties, and the War Taxes.	Quarters ended the 5th of July		
	1817.	1818.	1819.
Customs.....	831,853	1,568,030	1,335,073
Excise.....	3,831,360	4,658,989	4,715,371
Stamps.....	1,589,615	1,599,814	1,534,723
Post-office.....	323,000	324,000	367,000
Assessed Taxes.....	2,216,806	2,202,976	2,257,960
Land Taxes.....	464,664	441,220	433,577
Miscellaneous.....	62,160	112,282	62,785
Unappropriated War Duties.....	20,031	5,198	39,461
Total Consolidated Fund.....	9,339,489	10,916,509	10,745,950
ANNUAL DUTIES TO PAY OFF BILLS.			
Customs.....	877,760	289,114	909,566
Excise.....	83,727	106,316	118,101
Pensions, &c.....			
Total Annual Duties.....	961,487	395,430	1,027,667
Permanent and Annual Duties.....	10,300,976	11,311,939	11,773,617
WAR TAXES.			
Customs.....			
Excise.....	779,647	872,496	869,974
Property.....	472,338	154,439	
Total War Taxes.....	1,251,985	1,026,935	869,974
Total Revenue, distinguishing the Consolidated Fund, the Annual Duties, and the War Taxes.....	11,552,961	12,338,874	12,643,591
REVENUE—Distinguishing the Customs and Excise.....			
Total Produce of Customs, as particularized above.....	1,709,613	1,857,144	2,244,639
Ditto of Excise, as ditto.....	4,694,734	5,637,801	5,703,426
Ditto of Stamps, Post-office, Assessed, Property, and Land Taxes, Miscellaneous and Unappropriated Duties and Pensions, as do.....	5,148,614	4,843,929	4,695,506
Total Revenue, distinguishing the Customs and Excise.....	11,552,961	12,338,874	12,643,591
Deduct receipt upon Property, War Duty on Malt, and unappropriated Duties....	492,369	157,637	39,461
Revenue, exclusive of Property, War Duty on Malt, and Unappropriated Duties.....	11,060,592	12,181,237	12,604,130

An Account of the Produce of the Excise Duties of Great Britain (exclusive of any Arrears received of the War Duty on Malt) in the Years ended the 5th of July 1818 and 1819, showing the Increase or Decrease on each head thereof:—

	Years ended the 5th of July 1818.	1819.	Increase.	Decrease.
Auctions	L. 258,626	L. 264,627	L. 6,001	L.
Beer	2,501,546	2,710,790	209,424	.
Bricks and Tiles	240,003	324,161	84,158	.
Candles	293,299	303,963	10,754	.
Coffee and Corn	117,998	115,357		2,641
Cider, Perry, and Verjuice	12,107	31,071	18,964	
Glass	388,234	500,145	111,911	
Hides and Skins	587,825	612,674	24,789	
Hops	108,448	318,619	210,171	
Licences	640,894	683,261	42,367	
Malt	2,248,632	2,977,373	728,741	
Paper	468,039	472,974	4,935	
Printed Goods	323,029	434,631	111,602	
Salt	1,471,582	1,498,899	27,317	
Soap	902,309	823,951		78,358
Spirits { British	2,922,199	2,999,694	77,495	
{ Foreign	1,988,435	2,308,681	320,248	
Starch	33,999	50,263	16,263	
Stone Bottles	594	2,486	1,892	
Sweets	12,007	14,958	2,951	
Tea	991,180	3,087,298	96,118	
Tobacco and Snuff	449,101	1,502,881	53,780	
Vinegar	36,899	42,697	5,798	
Wine	1,174,011	1,091,354		82,657
Wire	8,212	7,266		946
	21,179,116	23,180,195	2,165,679	164,602
Deduct Decrease			164,602	
Increase on the Year			2,001,077	

Abstract of the Net Produce of the Revenue of Great Britain (exclusive of the Arrears of War-Duty on Malt and Property), in the Years and Quarters ended the 10th of Oct. 1818, and 10th of Oct. 1819, showing the Increase or Decrease on each head thereof.

YEARS.

	Years ended the 10th of Oct.		Increase as compared with 1818.	Decrease as compared with 1818.
	1818.	1819.		
Customs	L. 10,548,183	L. 9,582,820		L. 965,363
Excise	22,156,082	22,982,875	L. 826,793	—
Stamps	6,427,270	6,311,449	—	215,821
Post-office	1,339,000	1,416,000	77,000	—
Assessed Taxes	6,173,813	6,178,432	4,599	—
Land Taxes	1,154,920	1,199,736	44,816	—
Miscellaneous	490,020	349,055	—	140,965
	48,289,308	47,920,367	953,208	1,322,149
Deduct Increase				953,208
Decrease as compared with the year 1818				368,941

	Increase as compared with 1817.		Decrease as compared with 1817.
In Customs	650,228	—	—
Excise	3,154,054	—	—
Stamps	—	—	20,764
Post-office	67,000	—	—
Assessed Taxes	76,436	—	—
Land Taxes	1,888	—	—
Miscellaneous	51,400	—	—
	4,101,006	—	20,764
Deduct Decrease	20,764	—	—
Increase in 1819, as compared with the year 1817	4,080,242	—	—
QUARTERS.			
	Quarters ended Oct. 10.		Decrease as compared with 1818.
	1818.	1819.	with 1818.
Customs	L. 3,669,754	L. 2,753,167	—
Excise	5,866,804	5,674,687	—
Stamps	1,672,165	1,575,437	—
Post-office	360,000	355,000	L. 15,000
Assessed Taxes	787,426	781,448	—
Land Taxes	181,801	198,177	—
Miscellaneous	49,150	77,628	—
	12,587,100	11,435,544	59,854
Deduct Increase	—	—	59,854
Decrease as compared with the Quarter 1818	—	—	1,151,556
	Increase as compared with 1817.		Decrease as compared with 1817.
In Customs	—	—	368,783
Excise	784,851	—	—
Stamps	—	—	113,226
Post-office	21,000	—	—
Assessed Taxes	—	—	1,154
Land Taxes	7,675	—	—
Miscellaneous	829	—	—
	814,355	—	483,163
Deduct Decrease	483,163	—	—
Increase in 1819, as compared with the quarter 1817	331,192	—	—

CONSOLIDATED FUND.

INCOME—GREAT BRITAIN.

2 D

CHARGE.

GREAT BRITAIN.

INTEREST, &c. ON THE NATIONAL DEBT.

	L.	s.	d.	L.	s.	d.
Life annuities at the Exchequer	118,894	4	7	28,160,073	11	11½
Annuities at L. 3 per cent. to the Bank of Eng- land	446,502	3	5			
Dividends payable at ditto to the public credi- tors	26,917,328	5	0½			
Ditto at the South Sea House to ditto	406,711	0	9			
Charges of management at ditto on capitals of which the dividends are payable to ditto ...	12,164	8	3			
Ditto at the bank on ditto	258,473	9	2½	.	.	.
TOWARDS REDEMPTION OF THE NATIONAL DEBT.						
Sinking fund per act 26 Geo. III. cap. 13. ...	1,000,000	0	0	14,435,949	10	5
Annuities for terms of years expired per ditto	79,880	14	6			
Sinking fund per act 42 Geo. III. cap. 71. ...	200,000	0	0			
Ditto on various loans since 1792 ...	10,305,150	2	3			
Dividends payable at the Bank on stock redeem- ed	2,626,499	3	8			
Ditto South Sea House on ditto	224,419	10	0	1,028,000	0	0
His Majesty's civil list ... ..	...	...	...
Pensions by act of Parliament ... ..	...	...	...
Salaries and allowances by ditto ... ..	...	...	...
Ditto in courts of justice ... ..	...	...	...
Mint in England and Scotland ... ..	...	...	...	67,967	12	2
Russian loan made in Holland per act 55 Geo. III. cap. 115. ... ..	...	...	...	15,000	0	0
Miscellaneous charges ... ..	...	...	...	133,417	6	3
				35,517	9	6
				44,389,637	15	7½
Interest upon Exchequer bills issued per act 57. Geo. III. cap. 48, to make good the deficiency of the consolidated fund in the year ending the 10th of October 1818, and which were paid off previously to the 5th of January 1819				8,246	16	8
Total charge	44,397,884	12	3½			
Surplus	211,867	19	5¼			
	L. 44,609,752	11	8½			

CONSOLIDATED FUND.

		£.	s.	d.
ABSTRACT.				
Great Britain		44,609,752	11	8½
Ireland		4,580,978	8	5
UNITED KINGDOM.				
Great Britain		44,609,752	11	8½
Ireland		4,580,978	8	5
Deduct issued for public services and carried from supplies of the years 1817 and 1818 to the con- solidated fund of Great Britain in the year ending the 5th of Jan. 1819		2,164,122	5	4¼
		2,416,856	3	0¼
		47,026,608	14	9½

		£.	s.	d.
ABSTRACT.				
Great Britain		44,397,884	12	3½
Surplus		211,867	19	5¼
		44,609,752	11	8½
Ireland		2,310,222	11	11¼
Surplus *		2,270,755	16	5½
		4,580,978	8	5
UNITED KINGDOM.				
Great Britain		44,397,884	12	3
Ireland		2,310,222	11	11
		46,708,107	4	3
Surplus		318,501	10	6¼
		47,026,608	14	9½

* By virtue of an act 56. Geo. III. cap. 98, the above surplus of L. 2,270,755 : 16 : 5¼ has been applied in Ireland for current public services of the years 1817 and 1818; and in pursuance of the said act, a like sum is directed to be carried from the supplies of 1817 and 1818 to the consolidated fund of Great Britain: of which, pursuant to act 57. Geo. III. cap. 48. L. 1,773,437 : 3 : 6½ have been so carried in the year ending the 5th of January 1819; and the remainder, L. 497,318 : 12 : 10¼, will be applied at the 5th of April 1819.

EXCISE DUTIES, continued per act 56. Geo. III. cap. 171.

		£.	s.	d.
British spirits	Anno 1803 . .	702,901	0	0
Ditto Sched. B.	1806 . .			
Foreign spirits	1803 . .	699,177	0	0
Sweets	— . .	4,140	0	0
Tea	— . .	1,575,882	0	0
Tobacco	1806 . .	324,936	0	0
Brandy	1807 . .	94,224	0	0
		3,339,260	0	0

DUTIES

Annually granted to provide L.3,000,000 for the Public Service.

Sugar	2,109,912	7	1½
Malt annual and additional	237,144	0	0
Tobacco	309,596	0	0
Land tax on offices and pensions	16	18	4
		2,656,569	5 5½

Total Amount of all Moneys paid into the Exchequer of Great Britain between the 5th of January 1818 and the 5th of January 1819, distinguishing the Proportion thereof specially appropriated from that which is applicable to the Public Service.

	Specially appropriated.			Applicable to the public service.		
	£.	s.	d.	£.	s.	d.
Total receipt upon the consolidated fund*	42,400,174	2	9½	...	...	...
Canal and dock duty	7,000	0	0	...	...	...
Excise duties lately part of war taxes continued per act 56th Geo. III. c. 17.	...	...	...	3,399,260	0	0
Duties on sugar, &c. annually granted	...	...	...	2,656,569	5	5½
Duties of 4½ per cent	25,013	13	4	...	...	...
First fruits of the clergy	4,552	19	5	...	...	...
Tenths of the clergy	9,855	19	2½	...	...	...
Payments reserved for the collection of sundry duties	6,808	13	9	...	...	...
Ditto.....to the civil list	21,239	6	9	...	...	...
Surplus of exchequer fees carried to ditto per act 56th Geo. III. cap. 46.	36,000	0	0	...	...	...
Land tax redeemed by payments in money	...	...	...	1,533	1	7
South Sea duty, per act 55th Geo. III. cap. 57.	6,458	5	9½	...	...	...
Contributions to lotteries Anno 1817	346,339	8	4	172,660	11	8
Ditto 1818	90,740	9	10	144,259	10	2
Ditto, to annuities per act 58th Geo. III. cap. 23. pro anno 1818	...	...	...	2,725,000	0	0
Ditto to ditto, towards discharging exchequer bills, per ditto, pro ditto	...	...	...	8,125,000	0	0
Payments by the chief cashier of the governor and company of the bank of England, being a surplus of L.100,000 in their hands on account of unclaimed dividends, lottery prizes, &c. and which, pursuant to act 56th Geo. III. cap. 97, was applicable towards the supplies Anno 1816; but there having been at sundry times a deficiency of L. 100,000 above mentioned, the same has been, pursuant to the said act, repaid to the bank, and therefore could not be applied to the public service.	267,651	6	1	65,297	0	6
Ditto by ditto on account of the commissioners for the issue of exchequer bills, per act 35th Geo. III. cap. 97.	8,771	3	8	...	...	...
Repayment on account of the royal military asylum pro Anno 1817	...	...	...	589	8	0
Voluntary contributions pro Anno 1817	...	...	...	20,000	0	0
Arrears of property duties granted pro Annis 1817 and 1818	...	...	...	481,540	9	7½
	49,230,605	8	5½	17,791,709	7	0½
				43,230,605	8	5½

* The sum of L. 2,209,578 : 8 : 11½ being carried to the consolidated fund out of monies in the exchequer, does not constitute a part of the actual receipt upon that fund in the year ending the 5th of January 1819.

An Account of the Public Funded Debt of the United Kingdom, payable in Great Britain, as it stood on the 5th of January 1819; distinguishing the total of Public Debt as originally funded; Debt redeemed and standing in the Names of the Commissioners for the Reduction of the National Debt; Debt transferred for Life Annuities; Debt cancelled by Redemption of Land-tax; Debt cancelled and the Funds thereof charged with Loans for the Years 1813, 1814, and 1815; Debt unredeemed and due to the Public Creditor; Interest on Debt standing in the Names of the Commissioners; Life Annuities payable by the Commissioners; and Interest on Debt unredeemed; Sums applicable to the Redemption of Debt; Total Charge of Debt.

	£.	s.	d.
1. Total of public debt as originally funded, -	1,181,504,364	0	7½
2. Debt redeemed and standing in the names of the commissioners for the reduction of the national debt, - - - - - -	103,449,672	15	0
3. Debt transferred to the commissioners for life annuities payable at the bank, - - - -	4,895,146	0	0
4. Debt cancelled by redemption of land-tax, -	25,502,093	1	9
5. Debt cancelled and the funds thereof charged with new loans, as per acts 53d and 54th Geo. III. cap. 95 and 3, - - - - -	255,790,138	5	2½
6. Debt unredeemed and due to the public creditor,	791,867,313	18	8½
7. Interest on debt standing in the names of the commissioners, as per col. 2 and 3, - -	3,290,398	2	10½
8. Life annuities payable on col. 3. and other annuities forming part of the debt unredeemed, -	1,668,170	3	9½
9. Interest on debt unredeemed, as per col. 6. -	27,656,798	17	11½
10. Sums applicable to the redemption of debt, -	15,815,003	14	10½
11. Total charge of debt, - - -	45,749,298	7	4½

PROMISSORY-NOTES.

An Account of the number of Promissory-Notes stamped in England in each year, from the 5th of Jan. 1815 to the 5th of Jan. 1819; distinguishing those granted for a sum not exceeding L.1, 1s.; those exceeding L.1, 1s., and not exceeding L.2, 2s.; those exceeding L.2, 2s., and not exceeding L.5, 5s.; those exceeding L.5, 5s., and not exceeding L.10; those exceeding L.10, and not exceeding L.20; those exceeding L.20, and not exceeding L.30; those exceeding L.30, and not exceeding L.50; and those exceeding L.50.

	Year ending Jan. 5. 1816.	Year ending Jan. 5. 1817.	Year ending Jan. 5. 1818.	Year ending Jan. 5. 1819.
Not exceeding L.1, 1s.	2,626,928	1,857,602	3,282,251	3,535,477
Exceeding L.1, 1s., and not exceeding L.2, 2s.	37,699	23,416	68,540	61,602
Exceeding L.2, 2s., and not exceeding L.5, 5s.	469,850	459,433	701,497	745,563
Exceeding L.5, 5s., and not exceeding L.20,	80,716	—	—	—
Exceeding L.5, 5s., and not exceeding L.10,	48,932	139,992	222,533	225,280
Exceeding L.10, and not exceeding L.20,	11,864	23,681	39,978	52,858
Exceeding L.20, and not exceeding L.30,	613	15	441	711
Exceeding L.30, and not exceeding L.50,	513	119	445	701
Exceeding L.50, and not exceeding L.100,	86	405	2,131	504

Comptroller's office, Stamps, Jan. 30. 1819.

C. R. TREFUSIS, C. & A. G.

An Account of the number of Licences granted for issuing Bank-notes, in the years 1815, 1816, 1817, and 1818.

	Number of Licences granted in England and Wales.	Number of Licences granted in Scotland.
From January 5. 1815, to January 5. 1816,	838	88
— January 5. 1816, to January 5. 1817,	753	78
— January 5. 1817, to January 5. 1818,	744	79
— January 5. 1818, to January 5. 1819,	792	81
Total	3,127	326

THE ARMY.

The following is a Return of the Effective Strength of Officers, Non-commissioned Officers, and Privates, serving in the British Army, on the 25th of January 1819; with the number of Horses :

<i>Stations.</i>	<i>Officers.</i>	<i>Sergeants.</i>	<i>Drummers.</i>	<i>Fg-rs.</i>	<i>Rank and File.</i>	<i>Total.</i>	<i>Troop horses.</i>
<i>Cavalry.</i>							
Great Britain.....	649	703	151	162	7696	8712	5923
Ireland.....	265	241	64	64	2916	3285	2103
East Indies.....	250	288	63	54	3311	3716	3173
Total.....	1164	1232	278	280	13923	15716	11276
<i>Foot Guards.</i>							
Great Britain.....	257	310	156		5050	5516	
<i>Infantry.</i>							
Great Britain.....	785	843	441		13950	15248	
Ireland.....	950	983	520		17360	18923	
Heligoland.....	4	9	1		60	64	
Gibraltar.....	194	208	105		3659	3969	
Malta and Ionian Islands.....	237	268	123		4673	5064	
Sierra Leone.....	12	21	9		370	400	
St Helena.....	47	72	22		1157	1251	
Cape of Good Hope.....	144	184	76		2732	2952	
Mauritius.....	121	130	70		2233	2439	
East Indies.....	868	997	421		16863	15281	
Ceylon.....	143	458	68		2639	2865	
New South Wales..	5	49	21		807	877	
Nova Scotia, &c.....	161	183	89		2649	2912	
Canada.....	218	251	112		3619	3982	
Jamaica.....	220	238	107		3720	4067	
Leeward Colonies...	276	290	129		4822	5247	
Total.....	4431	4897	2369		81313	88581	
General Total.....	5852	6439	2799	280	100295	109810	11276

N. B.—Of the above numbers there are about 14,000 non-commissioned officers and privates supernumerary to the peace establishment of the army ; viz. about 2000 belonging to regiments at home, now in the course of discharge, and writing to pass the board at Chelsea hospital ; and about 12,000 at present on foreign stations, who are under orders to be discharged.

There are likewise included in this return about 1300 supernumerary horses of cavalry regiments in Great Britain, of which 813 have been sold, or ordered to be sold, since the date to which the return is made up ; and the remainder will be disposed of without delay.

The following is a Correct Return of the Effective Strength of the Royal Artillery, serving at home and abroad, on the 25th of January 1819, distinguishing the Foot from the Horse Artillery :—

Marching battalions at home.
Officers, 366—Non-commissioned officers and men, 3,583

Marching battalions abroad.
Officers, 105—Non-commissioned officers and men, 2,186

Total, 471 5,769

Horse Brigade, at home.
Officers, 47—Non-commissioned officers and men, 658

Invalid battalion, at home.
Officers, 35—Non-commissioned officers and men, 147

Invalid battalion, abroad.
Officers, 0—Non-commissioned officers and men, 18

Total, 82 823

Royal artillery drivers, at home.
Officers, 23—Non-commissioned officers and men, 508

Royal artillery drivers, abroad.
Officers, 0—Non-commissioned officers and men, 26

Total, 23 534

Grand Total, 576 7,129

An Account of the number of Prisoners tried, and the Offences they were convicted of, at the Old Bailey Sessions, in the Year 1818.

Murder.....	3	Embezzlement.....	2
Burglary.....	25	Fraud.....	6
House-breaking.....	7	Grand larceny.....	1093
Highway robbery.....	25	Misdemeanours.....	6
Stealing in a dwelling-house	68	Uttering counterfeit coin	13
Stealing privately in a shop	16		1430
Stealing on the river Thames	2		
Horse stealing.....	11		
Sheep stealing.....	9		
Cattle stealing.....	1		
Cutting down trees.....	1		
Returning from transportation	1		
Forgery.....	2		
Uttering forged bank notes	25		
Having possession of ditto			
without lawful excuse.	98		
Receiving stolen goods.....	10		
Manslaughter.....	6		

Capital offences

OF THESE THERE WERE
Between the age of ten and
fourteen..... 83
Between the age of four-
teen and eighteen..... 195
Between the age of eigh-
teen and twenty-one..... 391
Total under twenty-one
years of age..... 624

FIRST REPORT

By the Lords' Committees, appointed a Secret Committee, to inquire into the state of the Bank of England, with reference to the expediency of the resumption of cash-payments at the period now fixed by law, and into such other matters as are connected therewith; and to report such information relative thereto as may be disclosed without injury to the public interest, with their observations.

The Committee think it right to premise, that in this investigation they have taken as their guide the decided opinion of Parliament, as declared by many repeated enactments, that the removal of the restriction upon cash-payments by the Bank, or, in other words, the restoration of the currency of the country to a state of regulation by its ancient metallic standard, is an object which ought to be accomplished at as early a period as shall be found safe and practicable.

The first act, confirming and continuing the restriction contained in the minute of Council of the 26th of February 1797, was passed on the 3d of May 1797, and was to be in force till the 24th of June 1797. The restriction was further continued by an act passed on the 22d of June 1797, until one month after the commencement of the then next

session of Parliament.* By another act, passed on the 30th of November in the same year, the restriction was further continued until one month after the conclusion of the war by a definitive treaty of peace. On the 3d of January 1799, the Directors of the Bank, in pursuance of a power reserved to them by the acts of Parliament referred to, gave notice that on the 14th instant they would pay in cash all fractional sums under L. 5; and on the 1st of February 1800 would pay cash for all notes of L. 1 and L. 2 dated prior to the 1st of July 1798, or exchange them for new notes of the same value, at the option of the holders. By another act, passed on the 30th of April 1802, the restriction was continued until the 1st of March 1803. On the 28th of February 1803, it was further continued until the expiration of six weeks after the com-

mencement of the then next session of Parliament. On the 13th of December 1803, the country being then again at war, it was further continued until six months after the ratification of a definitive treaty of peace. In the year 1812 an act was passed for preventing any note or bill of the Banks of England or Ireland from being received for a smaller sum than the sum therein specified, and for staying proceedings upon distress by tender of such notes; and in 1814 this act was further continued during the continuance of any act imposing restriction upon the Bank with respect to payments in cash.

By an act passed on the 18th of July 1814, the restriction upon the Bank was continued until the 25th of March 1815; and it was further continued by an act passed on the 23d of March 1815, to the 5th day of July 1816. On the 21st of March 1816, an act was passed, by which, after reciting in the preamble, "that it was highly desirable that the Bank should, as soon as possible, return to the payment of its notes in cash; and that it was expedient that the provisions of the former acts should be further continued, in order to afford time to the Directors of the Bank to make such preparations as to their discretion and experience might appear, most expedient for enabling them to resume payments in cash, without public inconvenience, and at the earliest period; and that a time should be fixed at which the said restriction should cease;" it was enacted, that the said restriction should be continued until the 5th of July 1818. On the 28th of May 1818, another act was passed, by which, after reciting in the preamble, "that it was highly desirable that the Bank of England should return as soon as

possible to the payment of its notes in cash, and that unforeseen circumstances, which had occurred since the passing of the last of the preceding acts, had rendered it expedient that the restriction should be further continued, and that another period should be fixed for the termination thereof; the restriction is further continued until the 5th of July 1819. Of these unforeseen circumstances, the most important was the apprehension of the effect of further foreign loans (particularly those of France) upon the exchanges and the price of gold.

Subsequent to the first restriction upon the Bank of England, similar restrictions were imposed and continued by different acts upon the Bank of Ireland, and their termination was fixed at three months after the expiration of the restriction upon the Bank of England.

During these successive prolongations, the Bank appears at different periods to have made great exertions to procure such a mass of treasure as might enable it to replace itself upon its ancient footing, whenever it should seem good to Parliament to remove the restrictions. In 1798, the treasure was increased to an amount which bore, in the early part of 1799, a very large proportion to that of the outstanding notes. During the years immediately subsequent, this treasure experienced a considerable reduction; but from the middle of 1804 to the middle of 1808, the favourable state of the exchanges enabled the Bank to make large purchases in gold. In order to encourage the importation of gold, the Directors determined to give £4 per oz., and the treasure was so much augmented as to have exceeded in 1808 the highest amount which it had reached in 1799. From that period it successively de-

clined. The restriction was prolonged in 1814 only to the 25th of March 1815; and in 1815 only to the 5th of July 1816; but the extraordinary high price of gold, and the extreme depression of the exchanges, which, from whatever causes, prevailed during great part of these periods, combized with the large advances to Government which the exigencies of the public service required, to prevent any material progress being made towards a restoration of the treasure of the Bank to its former amount.

Notwithstanding these discouraging circumstances, the Bank more than doubled its treasure during the last eight months of 1815; and the fall in the price of gold, and the favourable turn of the exchanges, enabled the Directors to raise it, by January 1817, to more than quadruple what it had been in the beginning of 1815. At this period the Directors felt so confident of being able to comply with the injunctions of Parliament, even before the period at which the restriction was to expire, that they issued a notice for the payment in cash of all the L. 1 and L. 2 notes bearing date prior to January 1816. Finding little or no demand for cash in consequence of this notice, and their treasure having continued during the course of the year to increase to an amount far exceeding what it had ever reached, and, with few exceptions, bearing a larger proportion to the extent of their issues than it had ever borne before, the Directors issued a second notice in September 1817, for the payment in cash of all notes bearing date before the 1st of January in that year. This measure has been stated to the Committee to have been undertaken in the hope, that if it proved successful, that is, if the gold so tendered were not de-

manded, or if when demanded it remained in the country, the complete resumption of cash payments would take place gradually, and as it were insensibly, even prior to the period then fixed by Parliament, viz. the 5th of July 1818.

In the month of April 1817, the effect of the great foreign loans made in that year began to be considerably felt. Between April and October 1817, the exchanges took an unfavourable turn, and the price of gold, which had, from July 1816 to March 1817, fluctuated between L. 3:18:6 and L. 3:19:6, rose, between April and December 1817, from L. 3:18:6 to L. 4:0:6; since which date it does not appear by the quoted prices to have been ever again reduced below L. 4. The new gold coinage also began to be issued in July 1817. The treasure of the Bank was raised to its highest amount in the month of October 1817. There appears to have been no considerable demand for gold previously to the month of October. The first issue of sovereigns in large quantities was in that month. There was a diminution in the demand for them in the three succeeding months; but in the month of Feb. 1818, the issue of gold increased till August in the same year; and the demand during this period is stated to have arisen decidedly for the purpose of exportation. It appears from the evidence of Mr Harman, that during the whole of the year 1817, the Bank did not think it necessary to make any reduction of its issues, either in consequence of the effect of the foreign loans upon the exchanges, or of its payments in gold, made in conformity to the notices above referred to. In fact, the average issue of Bank-notes in 1817 exceeded by L. 1,700,000 that of 1816; the average issue of

the last six months of 1817 exceeded the average issue of the first six months of that year by L. 1,870,000; and this increase, combined with the revival of Country Banks from their previous depression, probably raised the circulating medium of the kingdom in the last six months of 1817 considerably beyond the amount at which it had stood in the preceding year.

A great reduction has been made in the issue of notes of the Bank of England since the commencement of the year 1818; they had been, on the average of six months from July to December 1817, at L.29,210,000; on the average of six months from January to July 1818, at L.27,954,000; from July to December 1818, they were reduced to L.26,487,000, and have since been further reduced to about L.25,000,000, and during the last three months of 1818, the issues of Country Banks are stated by persons much conversant with the subject, to have certainly not increased, and probably to have declined; but the price of gold and the state of the exchanges have continued to be such as to have drawn from the Bank, in addition to the gold demanded previously to March 1818, amounting at L. 2,022,000, a further sum of L.4,787,000, making in the whole an issue of L.6,809,000, in consequence chiefly of the liability with which the directors had, under different circumstances, voluntarily charged themselves to pay the fractional parts of dividends and a certain proportion of their notes in cash. Their treasure was by these drains very considerably reduced; and they were still liable, in consequence of the same measures, to an additional demand for cash to the amount of several millions.

This unfavourable state of the exchanges and of the price of gold is

attributed to different causes by different persons examined before the Committee. By some to an excess in the circulating medium of the country; by others to the effect of the late regulations of the Mint respecting the new silver coinage, by which the proportions between the relative value of gold and silver are stated to have been so varied as to have occasioned the exportation of gold; by others it is attributed to the continued operation of foreign loans, to the temptation held out by a high rate of interest to the investment of British capital in foreign funds and foreign speculations, and to the large purchases of corn from abroad; a great proportion of which is paid for in advance, and must, therefore, in their opinion, have had a material effect upon the balance of payments, and of course upon the exchanges, during the year 1818.

It is under these circumstances that Parliament is called upon to deliberate, whether it will be most for the public interest to adhere to the decision it had taken in May 1818; or to allow a further delay for the preparations necessary to carry this important measure into execution, in order, as far as possible, to secure its ultimate accomplishment, and at the same time afford the means of taking such precautions as may diminish the pressure of whatever public inconvenience may be felt or apprehended.

Much difference of opinion upon almost all the questions, whether of theory or of practice, to which the attention of the Committee has been drawn, will be found in the evidence. Upon one point only there is nearly an unanimous opinion, grounded indeed by different persons upon different lines of argument, but concurring in the same result, viz. that it would not be safe and practicable

for the Bank to resume cash payments on the 5th July 1819; and as the Committee see sufficient reason to agree thus far with the practical result of these opinions, viz. that, in the state of things which now exists, there is a necessity for some further postponement, they need only refer to the evidence, in which the different reasons which lead to this conclusion are fully stated.

It can hardly be necessary for the Committee to remark, that this opinion does not rest upon any ground which can intimate the slightest doubt as to the credit or solidity of the Bank; that body possesses at the present moment the means of discharging, out of the treasure actually in its coffers, every demand which could have been made upon it for payment in cash, in consequence of the notices referred to; and the only object of the measure which, at the recommendation of the Committees of both Houses, has been already adopted by Parliament, during the course of the present session, was to prevent the continuance of a drain of the existing treasure, and thereby to facilitate such operations as the Committee might feel it to be their duty to recommend, in preparation to a final removal of the restriction.

Of the ultimate sufficiency of the Bank, no doubt has been or can be entertained; but as Parliament thought proper, at the period when it imposed the first restriction upon the Bank, to direct an inquiry into the actual state of its affairs; and as a similar injunction is contained in the order by which this Committee is appointed, they have thought it their duty to lay before the House the statement in the appendix; by which it appears that, exclusive of the debt from Government, at three per cent., of L. 11,686,800, and of the advance to Government, at three

per cent., of L. 3,000,000, making together L. 14,686,800, the balance in favour of the Bank, on a comparison of its debts and credits (including in the former the Government balances in the hands of the Bank) is L. 5,231,190.

The next subject to which the attention of the Committee has been directed was the consideration of what time might now safely be fixed for the ultimate restoration of the currency of the country to the ancient metallic standard of value, and what were the measures, if any, which it might be expedient to adopt, in order both to facilitate and to ensure the complete attainment of this great object.

Unless the market price of gold shall be, at the time so fixed, and shall continue to be afterwards, so near the Mint price as not to afford a profit upon the exportation of that metal, it has been abundantly proved by past experience, that no law can prevent such exportation, and the consequent demand upon the Bank. The main question therefore is, by what means, and within what time, the reduction of the price of gold to the Mint price, or, which is nearly equivalent, such a favourable state of the exchanges as will prevent a profit on exportation, may best be attained.

It is strongly contended by some of the witnesses, and is admitted by most, that a considerable and (as was expressed by one of them) forcible reduction of the issues of the Bank, accompanied by what some consider as a necessary, and others as a probable, consequence, a diminution in the issues of Country Bank paper, would produce a favourable turn in the exchanges and a reduction in the price of gold. But many of those who are most deeply impressed with the necessity of the earliest possible

recurrence to the ancient standard of the country, state, in the strongest terms, the general distress which a large and sudden diminution of the paper currency, now the only circulating medium of the country, must occasion: while others are of opinion that a very small reduction of the circulating medium will be sufficient to produce these effects, and that little distress would be occasioned. There are some also who hold, that the present Mint regulations respecting silver are the sole cause of the high price and consequent exportation of gold, and of course are of opinion, that there need be neither reduction nor distress.

The general result of all the varying sentiments of the witnesses upon the subject of the foreign exchanges, and of the price of gold, may perhaps be thus stated:—

Many of those who maintain that it is at all times in the power of the Bank to exercise a complete control over the rise and fall of the exchanges, and of the price of gold, nevertheless think, that the great loans contracted for, since the peace, by foreign states; the investments made by persons in this country in foreign securities, to the amount, as has been conjectured, of L. 10 or L. 12,000,000; the pressure which took place in the money market at Paris and other commercial towns on the Continent, and in America; and the great importation of corn during the last year, have of late concurred in lowering the exchanges. They hold indeed, that when our circulation was in its former state of payments in specie, no payments abroad could bring the exchanges materially below their par; but with a paper that has no such regulator of its value, they think that the necessity of payments abroad, from whatever cause, does undoubtedly pro-

duce a considerable effect upon the exchanges, which might, however, as they state, be always counteracted by a sufficient diminution of paper.

On the other hand, many of those who attribute the high price of gold, and the unfavourable state of the exchanges, chiefly to the operation of these latter causes, and who deny or doubt the fact that the issue of the notes of the Bank of England has been excessive, nevertheless think that an excessive increase or diminution of their issue might affect the exchanges; but they doubt whether a small increase or diminution would produce any marked effect upon them.

Those, again, who maintain that the proportion betwixt the Mint price of gold and silver, as settled by the recent change in our Mint regulations, is the sole cause of the nominal high price of gold, think that the real exchange has for the last two years been in favour of this country; that there has been during that period no over issue of Bank paper; that had it not been for the Mint regulations, gold must have continued to flow into this country, as it did in 1816; that there could, therefore, have been no demand on the Bank for coin of that metal, for the purpose of exportation; and that the Bank could have found no difficulty in resuming payments in cash at the time now fixed by Parliament.

It appears to the Committee upon the whole, that so long as the Bank continued liable to pay in cash, it might be concluded from reasoning, and has been proved by experience, that the variations in the market price of gold, and also in the exchanges, would be confined within much narrower limits than they have been since the restriction upon cash payments.

Under the ancient system, if an unusual demand were made upon the Bank for cash, when the exchanges were above par, and the price of gold below the Mint price, as such a demand could only be occasioned by some sudden panic, or by a failure in commercial credit, and could not under such circumstances arise from the profit to be derived from the exportation of gold, there might be occasions in which the Bank might think, that with a view to its own interest, so closely connected with that of the commerce and manufactures of the country, the best mode of checking such a demand might be, to make a more liberal issue of its notes, and thereby to revive that credit, the want of which had produced the embarrassment; but if an unusual demand took place, at a time when, from the state of the exchanges and of the price of gold, it evidently arose from the profit to be made by the exportation of that metal, the Bank always found itself under the necessity of contracting its issues for its own security. In the latter case, therefore, whether the Directors did or did not adopt the principle, that the increase or diminution of the paper currency has a decisive influence upon the exchanges, they necessarily acted in the same manner as if they had fully adopted it.

There is a difference, however, not to be disregarded, in the impression likely to be produced upon the public mind, by any pressure arising from the measures to be taken by Parliament for ensuring the restoration of a metallic standard, as distinguished from those pressures which might be occasionally experienced under the former system. These would be felt to be the necessary result of the precautions which, under particular circumstances, might be taken by the Bank for its own security; and if any

temporary inconvenience were produced by them, they would manifestly have for their object to avert an evil universally acknowledged to be still greater, viz. the stoppage of payment by the Bank; whereas any pressure which might now be experienced by too rapid a progress towards the resumption of cash payments might be thought to be an evil voluntarily and unnecessarily incurred, from an impatience to attain an object, respecting which there was no difference of opinion, and therefore less readiness to make any considerable sacrifice for its speedy attainment.

It has also been stated to the Committee, that there exists at this present moment a considerable degree of embarrassment in commercial transactions, which is attributed by some of the witnesses to the overtrading which has taken place, encouraged, in the opinion of one witness, by the increase of the circulating medium in 1817; and is attributed by others to the subsequent diminution of that medium. Very different opinions have also been stated respecting the probable duration of this embarrassment; but as all agree respecting its actual existence, a more than ordinary degree of caution is required in the adoption of any legislative measures which may, even by a temporary operation, in any degree aggravate or prolong it.

These considerations have united to incline the Committee in the proposal which they will submit in the conclusion of their Report, rather to extend the time at which the ultimate resumption of cash payments should be required to take place beyond the period at which, according to the best opinion they can form, there would be a probability of its easy accomplishment under ordinary circumstances, than to hazard the ulti-

mate success of that measure, by assigning to it the earliest period within which, according to such opinion, it might be safely practicable. The measure had better not be begun at all, unless there be a determined purpose to carry it to its completion, as an ineffectual attempt might create great mischief and distress, and would not leave any beneficial result to repay the country for what it may have suffered.

From thus extending the period, it seems to the Committee that considerable advantages would arise. Those who think that the object is to be accomplished only by the means of a considerable reduction of the notes of the Bank of England, and that the inconveniences, which they acknowledge to be the necessary result of such reduction, would be amply compensated by the restoration of the ancient metallic standard, feel considerable anxiety to diminish the extent of these inconveniences. Those who expect little or no inconvenience to arise from the measures necessary for the attainment of this object, are nevertheless sensible of the difficulties which are opposed to its early accomplishment by the present state of the Bank treasure, and by the existing (though as they hope temporary) commercial pressure. They are on this latter account particularly desirous to allay even those apprehensions which they deem unfounded or exaggerated, and are satisfied that, provided the ultimate object be secured, the intermediate pressure, whatever may be its degree, would be materially lightened by being spread over a greater length of time.

Those, on the other hand, who feel less confident in the effect of such a reduction—who think that, even were its effect certain, it could only be produced by the creation of a greater

degree of distress than the public could well bear—who look to the cessation of those temporary causes, to which they attribute the largest share in producing the unfavourable state of exchanges and the high price of gold, as the natural remedy for the evil—and who expect, that in no long space of time the favourable balance of payments (the usual result of the extent and nature of our commerce) will, without incurring any distress by taking measures for the forcible production of such a change, lead insensibly, but with sufficient certainty, to the attainment of the object in view—all persons who entertain these opinions must feel still more anxiety for the extension of the period.

There are, however, some measures of preparation which, whatever time may be fixed, appear desirable, if not indispensable.

It is well known that the Bank has always been in the habit of making large advances to the Government for the public service. These advances are partly made under special acts of Parliament, upon securities therein provided. There is another species of accommodation which has also been afforded by the Bank, viz. the purchase of Exchequer bills to a large amount. For the state of the law upon this subject the Committee beg to refer to a paper which has been laid before them, and which is inserted in their Appendix. The amount of the Exchequer bills and other Government securities, either held or purchased by the Bank at different periods, will also be found in the account which is there inserted. The different applications made by the Treasury to the Bank for accommodation are fully detailed in the annexed accounts and correspondence. The principles upon which the Treasury has acted in making

these applications during the last four years are explained in a memorandum delivered to the Committee by the first Commissioner of that Board; and important information respecting these transactions will be found in the evidence of Mr Harman, who, during the greatest part of the period last referred to, was either Governor or Deputy Governor of the Bank.

The Committee think it proper to remark, that whatever effect the extent of the advances here referred to might have had upon the power of the Bank, at any given moment, entirely to resume cash payments, supposing other circumstances had not intervened to prevent such resumption, they do not appear to have had any influence in diminishing the extent of the accommodation received by the public for commercial purposes. In the opinion of most of the witnesses who have been examined, the abundance of circulation produced by the liberal issue of Bank-notes, upon whatever securities they were issued, has produced indirectly as great facilities to commerce as if they had been directly issued in commercial discounts. A transfer, to a considerable degree, of the discount trade from the Bank to private bankers and merchants is stated to have taken place; but the facilities afforded to commerce were at least as great in the latter case as in the former, as the discounts made by the Bank were more restricted in point of time, were limited by the necessity imposed upon the applicant of bringing two and sometimes more securities, and were granted only at five per cent. at a time when private merchants and bankers were discounting at a lower rate.

The effect, however, of the extent of the advances to Government upon the situation of the Bank, when

preparing for a resumption of cash payments, is evidently to ~~cramp~~ ^{cramp} its operations, by placing a ~~large~~ ^{large} ~~pro~~ ^{pro} portion of its issues beyond its control. The advances made directly to Government are only repaid at the period fixed by law. The Exchequer bills purchased by the Bank could not be sold in large quantities without reducing them to a considerable discount; and this discount would bring them into the Exchequer in payment of the taxes, to such an extent as might materially derange the provisions for the public service. An understanding, therefore, without express agreement, appears to have prevailed, that, when thus purchased, they should not be sold by the Bank. On the other hand, the issues of notes upon discount revert to the Bank at periods so short, that any reduction of the paper so issued, which circumstances may render necessary, is always within their reach: with this control over their issues, they are enabled to feel their way, and to restrict or enlarge them, either as the wants of the country may permit or demand, or as the state of the exchanges and the price of gold may appear to require.

It appears, therefore, to the Committee to be highly expedient, that means should be taken to repay to the Bank a large amount of these advances at an early period.

In considering the means of providing for the future a safe and sufficient circulating medium for the country, the Committee were naturally led to make inquiries as to what had been its amount, previously to the Bank restriction, when it consisted partly of gold coin, and partly of paper; what has been its amount during the interval, when there was little or no gold coin in circulation; and what is likely to be its amount,

and what ought to be its composition, when a metallic standard is restored.

Upon the first of these heads they neither found, nor indeed could they expect to find any ground, from which a satisfactory conclusion could be drawn. The only certain data at any period are the notes of the Bank of England. The amount of coin rests only upon estimates formed in a great degree upon conjecture; and the official accounts offer little information respecting the issues of Country Banks at that period, as the stamps upon these notes were not then sufficiently distinguished in those accounts from other stamps. It is known that in 1792, those issues had been considerably extended; that after the commercial difficulties of 1793, they were greatly reduced; and in 1797, had not reached their former amount.

Taking, however, the amount of the gold coin in circulation at L.5,000,000 below the estimate made by the late Lord Liverpool, viz. at L.25,000,000

The notes of the Bank of England at	10,500,000
The country notes, including Scotland, may be conjectured to have been	7,000,000

The amount of circulating medium before the Bank restriction will be	L. 42,500,000
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Exclusive of silver and other means of circulation.

Upon the second head, viz. the amount of the circulating medium since the restriction, there are undoubtedly, at least as to a portion of the period, somewhat better materials for calculation. That part which is certain, viz. the amount of the notes of the Bank of England, has borne so

much higher a proportion to the whole of the circulating medium, that the uncertainty which rests upon the remainder has less proportional effect upon the general result. The details of these issues appear in the accounts in the Appendix.

The variations in the amount of these issues, in the week immediately preceding, and in that immediately following the payment of the dividend upon the national debt, are so considerable (being from 3 to L.5,000,000 in January and July, and from 2 to L.3,000,000 in April and October,) that in considering the general circulation of the country, it seems better to take an average of the issues for six months, than to form any calculation upon a shorter period. Stated upon this principle, it appears that they did not reach L.15,000,000 before the first six months of 1800; that they never reached L. 20,000,000 before the first six months in 1810, in the latter six months of which year they exceeded L.24,000,000. The variations for the next three years were not considerable; but the rise during the year 1814 was rapid, and carried their amount, upon the average of the last six months, to above L.28,000,000. The lowest point to which they fell was between 26 and L.27,000,000 in the first six months of 1816. The highest to which they rose was in the last six months of 1817, when they were at their greatest average amount, viz. L.29,000,000, and from that period they have gradually decreased nearly to L.25,000,000, previously to the issue of the last dividends.

The amount, however, of Bank of England paper actually in circulation is not always to be measured by the extent of its issues. When credit is flourishing, the reserve of Bank of England notes kept by country

bankers will be considerably less than when any local or general difficulties oblige them to make more ample preparations against large and sudden demands; and this reserve must, in the present state of our circulating medium, consist of a great proportion of notes of the Bank of England, into which their own notes are legally convertible. It will consist also, to some extent, of notes of other Country Banks, in exchange for which they can demand from those Banks, notes of the Bank of England. In a state of imperfect credit, the Country Banks will also reduce their own issues, and will either never issue at all, or refrain from re-issuing a larger proportion of their own notes, which they keep by them ready stamped; so that, even if the amount of stamped notes actually in existence in any given year could be ascertained with certainty, (which is very far from being the case), the proportion of such notes at that time actually in circulation could not from thence be inferred with accuracy. A similar degree of uncertainty as to the amount of the circulating medium must exist, as far as it arises from the varying reserves of all bankers, even when that circulating medium consists in part of gold, and will then equally apply, which it does not now, to the reserve of the Bank of England.

With respect, however, to that part of our currency which has consisted of Country Bank-notes, the Committee have endeavoured, from such accounts as have been furnished them from the Stamp-office, to form some estimate of their amount. The difficulties of various descriptions, which throw a great uncertainty upon any calculations founded upon these accounts, are explained in statements delivered in by Mr Sedgewick, which are to be found

in the Appendix. From these materials two calculations have been drawn. The grounds upon which each of them rest are to be found in the appendix. The Committee are inclined to that of these two approximating estimates, the second is the best adapted to their view of the subject; but they submit them both to the House with a full sense of the imperfection to which they are necessarily liable.

F. 7.			F. 8.		
21,374,000	.....	1810	.....	21,819,000	
20,977,000	.....	1811	.....	21,453,000	
20,047,000	.....	1812	.....	19,944,000	
22,342,000	.....	1813	.....	22,597,000	
21,672,000	.....	1814	.....	22,709,000	
20,378,000	.....	1815	.....	19,011,000	
15,£25,000	.....	1816	.....	15,096,000	
15,862,000	.....	1817	.....	15,898,000	
20,044,000	.....	1818	.....	20,507,000	

These estimates must indeed be not only far removed from accuracy respecting any particular year, but many causes of uncertainty attach to them even if they were considered merely as affording data for calculating the relative circulation of different years. In this respect, however, they derive confirmation, especially the latter, from their correspondence with the general tenor of the evidence of persons connected with the Country Banks. The estimates which these persons have formed as to the amount of the country notes, grounded upon local knowledge, and extended by inference to the whole kingdom, will be found in the minutes.

Much important information respecting the nature of this circulation will be found in the evidence, and particularly as to the different practice which obtains in different parts of the kingdom, more especially in Norfolk and in Lancashire.

The calculations founded upon the

accounts from the Stamp-office, (which afford no distinct data prior to the year 1809,) would leave the Committee to suppose that the amount has varied, between 1810 and 1818, from below 16 to above 22 millions; that it was at the highest in 1814; at the lowest in 1816 and

1817: and that it has again risen in 1818.

Combining the accurate statements of the issues of the Bank of England upon the average of each year, with the result of the inquiry into the issues of Country Banks, the account would stand thus:

	F. 7	F. 8.
1810. Bank of England,	22,541,000	22,541,000
Country Banks,	21,374,000	21,819,000
	44,915,000	44,360,000
1811. Bank of England,	23,282,000	23,282,000
Country Banks,	20,977,000	21,543,000
	44,259,000	44,825,000
1812. Bank of England,	23,237,000	23,237,000
Country Banks,	20,047,000	19,944,000
	43,284,000	43,181,000
1813. Bank of England,	24,023,000	24,023,000
Country Banks,	22,342,000	22,597,000
	46,365,000	46,620,000
1814. Bank of England,	26,901,000	26,901,000
Country Banks,	21,672,000	22,709,000
	48,573,000	49,610,000
1815. Bank of England,	26,886,000	26,886,000
Country Banks,	20,578,000	19,011,000
	47,464,000	45,897,000
1816. Bank of England,	26,574,000	26,574,000
Country Banks,	15,525,000	15,096,000
	42,099,000	41,670,000
1817. Bank of England,	28,274,000	28,274,000
Country Banks,	15,862,000	15,898,000
	44,136,000	44,172,000
1818. Bank of England,	27,220,000	27,220,000
Country Banks,	20,044,000	20,507,000
	47,264,000	47,727,000

To this must be added about L.271,000 for the average circulation of unstamped small notes issued by the three Chartered Banks in Scotland, which are not included in the Stamp-office accounts.

The result of this estimate would be, that the circulating medium of England, as far as it consists of notes of the Bank of England or of Country Bank-notes, between 1810 and 1818, both years inclusive, has varied from about forty-two millions to above forty-eight millions; and that it was highest in 1814, and lowest in 1816.

With respect to the numerical amount of circulating medium necessary to carry on with facility the transactions of the country, whatever may be the composition of such circulating medium, it is evidently impossible to form any judgment.

The great increase of the transactions of this country in every part of its home trade and agriculture; the rise of the amount of its exports and imports (even according to the official value, which is much below the real value) from L.51,231,000, on the average of three years preceding 1797, to L.82,750,000, on

the average of the three last years of which the accounts have been given in; the increase of the charge of the national debt from L. 13,430,000 in 1797 to L.43,819,000 in 1819; and the amount of the taxes, which since 1792 have arisen from about 16 to 50 millions (an increase occasioned not merely by an increased rate of taxation upon the same articles but by the imposition of new taxes upon a great variety of articles) might have been expected to require a much larger increase of circulating medium. It is, however, obvious that such amount would not have necessarily borne any specific proportion to the amount of transactions of every kind, or to that of revenue. The flourishing state of commerce and of credit producing a greater rapidity of circulation, will have enabled the same quantity of circulating medium to carry on a much greater amount of transactions; and the various modifications of credit to which such a state of things gives birth, together with the successive improvements in the arrangements of commercial and banking business, must have had the same effect to a great extent. There must also obviously be a great difference in the required amount of a currency consisting of paper only, and that of a currency consisting partly of paper, and also, in a large proportion, of gold. It is to these circumstances (co-operating possibly with others) that we may perhaps attribute the sufficiency of the circulating medium actually existing to perform functions to so much larger an amount than were performed in 1797 by the circulating medium then existing, which was probably not many millions less than at present.

What proportions the various

component parts of the circulating medium may bear to each other, after the resumption of cash payments, it is difficult to conjecture. They must evidently be influenced by the future regulations of Parliament, with respect to the nature and description of the paper currency.

If the paper currency is to be confined, as it was within a short period before the Bank restriction, to the issue of notes of L. 10 and upwards by the Bank of England, and of L. 5 and upwards by the Country Banks, the necessity for a very large amount of gold coin for smaller payments is evidently indispensable. Should Parliament think proper to continue both to the Bank of England and to Country Banks the liberty of issuing notes of a lower denomination, and particularly of L. 1 and L. 2, this permission would probably have the effect of keeping up a paper circulation bearing a much larger proportion to the whole, than in the former case, and would so far diminish the necessity of an extensive circulation of gold coin. But although it would diminish that necessity, the degree in which it would diminish the demand for gold coin can only be stated as a matter of conjecture. The established habits of the public may operate so decidedly in favour of a paper circulation, that there might be only a very small demand for gold coin; and as far as any judgment can be formed from the short interval during which the Bank issued gold coin in exchange for their notes before the rise in the market price of gold occasioned a demand for exportation, this might probably be the case; the period was, however, too short to afford sufficient grounds for any decisive inference as to the future; and it is on the other

hand the opinion of some of the witnesses, that the new coin would be preferred to paper.

The Committee, attaching great importance to the restoration of the paper currency to a metallic standard, are also deeply impressed with the great advantages of such a currency when so regulated; and they think it highly desirable that a large proportion at least of the transactions of the country should be carried on by that medium. But the question, what proportion ought to be so carried on, (if it were a point capable of solution, or could be the subject of regulation), wherever a mixed circulating medium is permitted, is very different from the question, what proportion the different classes of such a mixed circulating medium will actually bear to each other, when left to be decided by the supposed interest, or even by the inclination of the public.

The latter question, however, is one, upon the result of which, one way or the other, the most serious practical consequences depend. Any judgment formed beforehand must unavoidably be conjectural, and yet upon such judgment we must be forced in some degree to act. Upon the greater or less probability that, in the event of the opening of the Bank upon the ancient system, paper would still be preferred to coin, must depend the extent of the accumulation of such coin, with which the Bank must be prepared to meet that demand. Unless this point be rightly estimated, the Bank, on its first re-opening, might experience a demand, against which it would be difficult, if not impossible, to guard.

If the Bank is to make preparation, in the interval between the present time and the expiration of the restriction, to fill with gold coin all

those channels of circulation which might possibly require to be so filled, the very extent of the purchases of bullion, necessary to be made for such a purpose, must in some degree, whatever may be the interval, and in a very great degree, if that interval be short, tend to obstruct the attainment of the ultimate object—the equalization of the market price of gold to its Mint price; and unless the effect of these purchases were counteracted by a rapid reduction of the issues of the Bank, for commercial discounts and other purposes, to an extent of which the mischief has been so frequently referred to, the price of gold might be such, at the very moment of the resumption of cash payments (supposing that moment to be previously and unalterably fixed), as to render the continuance of such payments difficult and hazardous.

These considerations have led the Committee to examine with particular attention a plan which has been suggested to them, and which, as it will appear by the evidence, is viewed in a very favourable light by many persons well qualified to form a judgment upon such a subject.

The leading principle of this plan is, to restore to the country, by the speediest and safest means, a metallic standard, as the regulator of its paper currency, by permitting the Bank to pay its notes in gold bullion, at the Mint price, instead of gold coin.

Various advantages appear to the Committee to attend this plan in preference to a simple resumption, in the first instance, of cash payments by the Bank. It establishes, equally with cash payments, the principle and the salutary control of a metallic standard, while it affords the best prospect of avoiding or diminishing many of the inconveni-

ces which are by many persons apprehended from that measure. It exempts the Bank from the obligation of providing a quantity of gold necessary to replace, in case the public should prefer coin to paper, all the smaller notes to the amount probably of 15 or 16 millions, which are now circulated in London and in the country; and therefore, by relieving the bullion market from this demand, it prevents that augmentation of the price of gold which might be the consequence of large purchases of that article made in a short space of time, under the pressure of a necessity publicly and previously known. And it continues to the Bank, and therefore to the nation at large, all the advantages to be derived from the employment of a capital equal to the amount of all the small notes in circulation, whether of the Bank of England or Country Banks. In the one case, this capital would still be, as it now is, employed in the support and extension of agriculture and of commerce, whether foreign or domestic; in the other, it would be merely an addition to the dead stock of the country, producing neither profit nor advantage.

It seems probable also, that when the Bank is made liable to pay only in bullion, and that only in exchange for notes to a certain amount, it would be chiefly subject to such demands as might arise from the excess of the market price of gold above the Mint price, and the consequent profit upon exportation. To a demand resulting from this source, every Bank issuing paper convertible into either of the precious metals must at all times be liable; and unless the market price of gold can be kept within certain limits of deviation from the Mint price, either by the reduction of the issues of paper,

or by the effect of a favourable balance of payments upon the exchanges, the whole system of banking must necessarily fall to the ground. It is no objection, therefore, to this plan, that it does not provide against a possible inconvenience, which is, under such circumstances, an inseparable attendant upon all paper currency so convertible—that is, upon all paper currency which is secured from great and inconvenient variations. The plan, however, contains in itself, during the period which may elapse before the market price of gold falls to the Mint price, a considerable guard even against this danger, a guard which did not exist in the mixed state of our currency. As it would be impossible for any person to draw bullion from the Bank, except in exchange for Bank-notes, no demand could be made upon the Bank to any great extent for gold without occasioning a scarcity in the currency, which would tend to raise the value of those notes, and to remove the temptation to present them in exchange for bullion. The same circumstance would operate to check any demand, which might arise from a sudden panic; and the rapidity of such demand, in which its chief danger consists, might be somewhat diminished by the necessity of collecting notes to that amount, in exchange for which payment in bullion would be demandable. And in whatever degree a disposition may have existed to hoard coin, there would probably be less disposition to demand bullion from the Bank for that purpose.

The Committee, in recommending the principle of this plan of resumption to the favourable consideration of the House, think it nevertheless their duty to suggest such provisions as have occurred to

them, by which, in their opinion, without weakening its efficacy, or impairing any of its advantages, its operation would be facilitated and ensured.

In the first suggestion of the plan, it was proposed that the Bank, upon the removal of the present restriction, should immediately pay in bullion at the Mint price, instead of paying in coin. The Committee have laid before the House, in the former part of this Report, the considerations which induce them to think that it must be desirable upon the whole to allow a considerable interval of time before the Bank should be required to resume cash payments upon the ancient system. These considerations would operate in a great, although not an equal degree, against the too early adoption of the plan for bullion payments at the Mint price. The objection to the prolongation of the period in the former case was chiefly this—that the country would be left during that period, whatever it might be, without the certainty of any progress being made towards the re-adoption of a metallic standard of value. The interposition of bullion payments affords means of obtaining this security, which cannot be provided with equal advantage under the simple resumption of cash payments. The resumption of bullion payments may, if Parliament should think proper, commence at an earlier time, and at the present market price of gold. Successive periods might, if thought necessary, be fixed, at which the rate of bullion payments should be gradually lowered, until it should finally be brought down to the Mint price. The same principle of gradation could not be applied to payments in coin, without the great and obvious inconvenience which must result from succes-

sive variations in its circulating value.

The effect of this graduated scale would be to re-establish, from the first commencement of its operation, the principle of a metallic standard. It would indeed not at once be a recurrence to the ancient standard; but an approximation would be gradually made towards it, and at no distant period it would be attained. The necessity under which the Bank would be placed of regulating its proceedings, with a view to the commencement of bullion payments upon this system, would give a security, perhaps unnecessary, but satisfactory to the public, that some progress was actually making towards the ultimate object. As the Bank would at the same time be relieved from an early recurrence to cash payments upon the ancient system, it would gain a longer interval for the gradual accumulation of its treasures; any reduction of its issues which might be found necessary might be gradually made; and all persons engaged in commerce would also be enabled to accommodate their transactions to the new state of our circulation.

It has been suggested that the Bank might have the option of paying in bullion or in coin: but the Committee are inclined to think, that even at the time when this scale shall have reached the Mint price, the Bank should begin to pay in bullion only. If there is any weight in the argument, that one of the great advantages of the proposed plan, with the modification suggested, is this, that it would render it safe for the Bank to open with a much smaller amount of treasure than might be thought necessary for the resumption of cash payments upon the ancient system, and there-

fore that it might begin its operation at an earlier period, it is evident, that were the Bank, from a preference of the ancient system, to determine to avail itself at that period of the option between bullion and cash payments by paying in coin only, it must, in consequence of such determination, make more rapid and more extensive purchases of gold in the interval, and thereby impede the gradual progress of its reduction to the Mint price, which is the main object to be attained.

There is also another evil against which it would be expedient to provide a guard, viz. the possibility of an excessive reduction of the circulating medium during the operation of this plan. This might be prevented by imposing upon the Bank the obligation of giving their notes in exchange for gold bullion (if tendered to them) at fixed prices, either taken somewhat below the Mint price, or, in the first instance, somewhat below the price at which the Bank should commence to pay in bullion; or further, if it should be thought proper to introduce more than one point in a graduated scale, at prices somewhat below those which might successively be fixed. Either of the latter expedients would afford a greater security against any excessive reduction of the issues of the Bank, but they might introduce a degree of complication into the system, and might cramp the operations of the Bank in an inconvenient manner; and the Committee think, that on the whole a preferable security would be afforded by leaving the Mint open to the public, by which any considerable deficiency in the paper currency would be supplied, and its effects counteracted by the coinage of gold. In order to bring before the view of the House with more distinctness

the whole of the plan which the Committee beg leave to recommend to their consideration, they will state shortly the different parts of which it consists:—

1. That provision should be made by Parliament for a repayment of the debt of Government to the Bank to a considerable amount, and that a part of that repayment should take place some time antecedent to the first period which may be fixed for the commencement of bullion payments by the Bank.

2. That from and after the 1st of December 1819, or at latest the 1st February 1820, the Bank of England should be required to pay its notes in gold bullion duly assayed and stamped in his Majesty's Mint if demanded, in sums of not less than the value of sixty ounces, at the price of L. 4, 1s. per ounce of standard bullion; that on the 1st of November 1820, or at such other period as may be fixed, the price shall be reduced to L. 3 : 19 : 6, unless the Bank shall have previously reduced it to that rate, it being always understood that the price, when once lowered, shall not again be raised by the Bank; and that on the 1st of May 1821, the Bank shall pay its notes, if demanded, in gold bullion, in sums of not less than the value of thirty ounces, at the price of L. 3 : 17 : 10½ per ounce of standard bullion:

3. That a weekly account of the average amount of notes in circulation during the preceding week shall be transmitted to the Privy Council; and a quarterly account of the average amount of notes in circulation during the preceding quarter shall be published in the London Gazette:

4. That for 2 years, from and after the 1st of May 1821, the Bank shall pay its notes in gold bullion

only at the Mint price; and that whenever Parliament shall think proper to require the Bank to pay its notes in coin, notice thereof shall be given to the Bank one year beforehand, such notice not to be given before the 1st of May 1823.

Should Parliament think proper to adopt this plan for the regulation of the Bank of England, it is evident that provision must be made for applying the same principle to the Bank of Ireland.

The Committee are perfectly aware of an objection which may be stated to this plan, viz. that during its operation the country will probably have no currency except paper, for payments beyond 40s., and that the advantage resulting from the convertibility of Bank notes into bullion appears to be given, at least in the first instance, only to the holders of large sums.

In answer to this it must be remembered, that so long as the price of gold shall continue high enough to afford a profit upon the melting and exportation of coin, framed according to the present Mint regulations, there can be no circulation of gold coin in the country. Under such circumstances any further issue of gold coin would be useless; it would indeed be worse than useless, as the purchase of the bullion to be coined would raise the price of gold, and the expense of coining it would be a waste of public money. Such an issue could only be useful whenever the price of gold is so far below the Mint price as to compensate for the interest lost during the time of coinage. But although the Committee entertain great hopes that, during the operation of the plan in question, the price of gold will fall to the Mint price at an earlier period than what is fixed for its completion, yet the plan itself presumes that such fall

may not take place and have been established before the 1st of May 1821.

Under this certainty it would be difficult, if not impossible, to foresee any moment previous to that date at which it might be expedient to make such an issue, or at which the public would be able to avail itself of the power of resorting to the Mint for the conversion of bullion into coin. But it will be able to avail itself of that power under the operation of this plan at as early a period as could reasonably be expected under any plan for the simple resumption of cash payments. In the interval the currency must consist (as it has long consisted) of paper alone; but from the moment this plan begins to operate, this paper would have what it has not had since the Bank restriction, and what it could not have in the interval preceding a simple resumption of cash payments, a metallic standard for its regulator. The holder of large sums in notes would indeed have the power of converting them into bullion at a fixed price by presenting them at the Bank; but the holder of a small sum in notes has not now, and could not have, the power of converting it into coin, under circumstances when, as has been before stated, no coin could remain and circulate in the country. The latter, therefore, is exposed to no disadvantage whatever during the operation of the present plan, to which he would not be exposed during the interval which must precede a simple resumption of cash payments; but he derives from the first moment of its commencement a participation in the security against fluctuation afforded to the holder of large sums.

This detail of the plan now proposed by the Committee will, they hope, be sufficient to explain both its nature and its objects. Above all, they trust, it will be manifest that the

plan is now recommended by them as a temporary measure, as the mode which appears to them at once the most desirable, and the most effectual for the attainment of the object which Parliament has in view—the restoration of our currency to its ancient standard of metallic value. They think it probable, as they have already stated, that this object may thus be attained at a period comparatively earlier than that for which they have ultimately provided. But they entertain a confident expectation that in this mode it will be effected at that period, if not before, and with the least practical inconvenience to any of the interests which it may affect.

After the attainment of this first and great object, many important questions will still remain to be determined by the Legislature, respecting the system on which our currency, when regulated by a metallic standard, may in other respects, with most advantage, be ultimately and permanently founded. But in these points the Committee think they should have exceeded the limits of their duty, if they had ventured at the present period even to form, much more if they had submitted to Parliament, any final or decisive opinion.

Whether the whole of our circulation and currency shall thenceforth be replaced either entirely on its ancient footing, or with what degree of alteration, particularly in respect of the smaller notes, the issue of which was formerly prohibited; whether the payments of the Bank shall be made at their option in bullion or in coin; or those payments continuing to be made in bullion only, the Mint shall be open to the public for coining such bullion into gold coin, with or without a seignorage or brassage; or whether, with a view to realize to

the country a profit equal to the whole value of the gold employed as dead capital for the purpose of circulation, an endeavour shall be made to confine the whole of our currency (except for the small payments now made in silver) to paper only, but to paper regulated by convertibility into bullion;—these, with the numerous details connected with and dependent on them, are points upon which the House will find much useful information in various parts of the evidence contained in the minutes, and upon which the Committee are satisfied that a better judgment than can be formed at present will be derived from the experience of the operation of the plan immediately in question.

With respect to the decision to be taken as to the future circulation of the smaller notes, the Committee are fully sensible that all views of expediency or profit in this respect must be combined with another most important consideration—that of the comparative facility with which such paper, or the coins for which it is substituted, may respectively be counterfeited. This point is essential to the success of any measure on this subject: and it is of great weight in the opinion of the Committee, as connected with the comparative degree of temptation or encouragement which any of these systems may afford to crime, and the consequent necessity of frequent and severe punishment.

Under these impressions the Committee have endeavoured with much anxiety to obtain information as to the progress and probable results of the inquiries which have lately been made, under the authority of his Majesty's commission, into the means of preventing, or rendering much more difficult than at present, the forgery of Bank paper. They have learnt

that these results are not yet sufficiently matured to be brought with this view in a complete shape under the consideration of Parliament; but they find that the very able persons whose attention has been so beneficially employed in the examination of this subject, entertain sanguine expectations that the principles which they have adopted for this purpose will, in their application, provide, if not a complete, at least a much more effective check than has been provided by any means yet adopted for the security of the Bank and of the public. In so far as the Committee has felt itself competent to judge of the probable operation of those principles, they fully partake in this hope; and it is much strengthened by learning, from the testimony of the Governor of the Bank of Ireland, that the application even of a part of those principles has been found there, in a very great degree, effectual for that purpose.

There is another point to which the Committee think it of great importance that Parliament should advert. The large amount and nature of the advances made by the Bank for the public service have been stated, on different occasions, as opposing considerable obstacles to the measures which would otherwise have been adopted by the Bank; and the plan now recommended essentially depends upon a previous reduction of them. But the inconvenience of this mode of habitually providing for the public exigencies to so great an extent is not merely temporary. It involves principles of considerable moment, with reference to the relation in which Government and the Bank are thereby placed towards each other. This system is not, however, of recent date. It had been acted upon to a large extent, for a long period of years before the

first restriction upon the Bank. The amount of the advances appears to have subsequently increased with the succeeding embarrassments of the public service; and the extraordinary exertions of the concluding years of the last war naturally produced an unprecedented extension of them. A considerable reduction of these advances has since been effected, and a still further diminution of them is recommended in this Report. It will be for the wisdom of Parliament to determine, whether, in order to guard against the unobserved recurrence of this practice, some permanent regulation ought not to be established, extending the very narrow restraint under which the Bank was originally placed in this respect, but imposing some new principle of limitation, so as on the one hand to allow the Bank such a free use of its capital as might enable it (as it appears to have done previously to the Bank restriction) to invest either the whole or some limited proportion thereof, if not demanded for commercial discounts, in the purchase of Government securities; and, on the other, to prevent it from engaging in such purchases for the accommodation of Government, when its own convenience or interest did not require them, or from entering into any engagement, express or implied, which shall prevent its bringing those securities freely into the market. It is obvious, that in imposing any new principle of limitation, exception must be made for cases of great emergency, to be stated to Parliament and provided for by its express authority.

Whatever may be the decision of Parliament upon all or any of the measures now in contemplation, the Committee think it will be desirable to repeal the laws which prohibit the melting and exportation of the coin,

and which enact that all bullion intended for exportation shall be sworn to consist of foreign gold or silver. The policy of these laws has long been held by the best writers on the subject to be at least dubious. From the nature of the article, so portable and so easily concealed, they could hardly be expected to be efficacious; and experience has abundantly proved their inefficacy. Notwithstanding the existence of these laws, the whole, or nearly the whole, of the gold coin of this kingdom, amounting probably to between 20 and 30 millions, has entirely disappeared, and scarcely a remnant now remains of the sovereigns which were issued in the year 1817. The prohibition, indeed, adds something to the difficulty, and consequently to the expense of exportation; and may, therefore, be supposed to operate, in some degree, as a seignorage upon our coin; but it is a seignorage perpetually varying, according to the greater or lesser facilities for smuggling which may at different moments exist, and affording therefore an uncertain, and, in point of fact, an inadequate protection.

The means also, by which this protection is afforded are highly objectionable, there being no possibility of distinguishing between bullion produced by the melting of foreign or of English coin. The only security is that of an oath; and the law, therefore, has no other operation than to offer a great, and, as experience proves, a successful temptation to perjury.

Even upon our ancient system of coinage, in which the value of the metal in coin is equal to that of the metal in bullion, and the whole expense of the coinage falls upon the public, it may be doubted whether the prohibition does not increase rather than diminish that expense; al-

though the latter was probably one of the chief objects which the law had in view. As our coin is now either melted previously to exportation, or melted in the country to which it is exported, because it is not there known or current, when it returns, it returns in the shape of bullion, and if the Mint is open, and the price such as to make it worth coining, it is carried to the Mint and coined at the public expense. Whereas, if our coin were legally exportable, it would probably return into this country as coin, whenever the state of the exchanges rendered it a more profitable remittance than bills or merchandise. No country in Europe has maintained so large a metallic currency as France, without any prohibition upon the melting, the export, or the sale of the coin.

The Committee cannot conclude their Report, without adverting to the opinions which have been expressed and very fully explained by some of the witnesses, that the present regulations of the Mint for the coinage of silver must of themselves occasion a perpetual drain of gold from this country, and thereby oppose an insurmountable obstacle to the resumption of metallic payments by the Bank, at the ancient standard of value. These opinions have been directly and strongly controverted by other witnesses. The Committee more particularly refer to the evidence of Mr Page and Mr Fletcher on one side, and Mr Mushett on the other; and to a paper received from the master of his Majesty's Mint: but much important information on this part of the subject may likewise be collected from the testimony of others, whose sentiments and authority upon such matters must be of great weight. The Committee, being fully sensible, that if the opinions of the two first witnesses

be well founded, any attempt to remove the restriction upon the Bank must prove ineffectual, unless the Mint regulations for the coinage of silver were first altered, according to the principle upon which that opinion appears to be founded, have given this part of the subject full consideration; and they think it their duty to state, that they see no ground to apprehend that the present Mint regulations respecting the silver coinage, so long as such silver coin shall not be a legal tender beyond the amount of forty shillings, and the Mint shall not be open to the public for the coinage of that metal, will oppose any obstacle to the successful execution of the plan which they have ventured to recommend.

The House will find, in various

parts of the evidence, and in the Appendix, a great mass of valuable information, illustrating not only those points which the Committee have dwelt upon in their Report, but also many other points of considerable importance to which they did not think it necessary to advert. They have judged it best to confine themselves as much as possible to a practical view of the question referred to them by the House, and to rest the proposal which they have brought forward upon grounds which might recommend it sufficiently, if not equally, to persons widely differing in opinion upon many of the considerations involved in any discussion upon so extensive and complicated a subject.

SECOND REPORT

From the Secret Committee, on the Expediency of the Bank resuming Cash Payments.

The Committee of Secrecy appointed to consider of the state of the Bank of England, with reference to the expediency of the resumption of cash payments at the period fixed by law, and into such other matters as are connected therewith; and to report to the House such information relative thereto as may be disclosed without injury to the public interests, with their observations thereupon; have further considered the

matters to them referred, and have agreed upon the following Report:—

Your Committee will preface the observations they have to make upon the matters immediately referred to them by the House, by a brief recapitulation of the laws which imposed and have continued the restriction upon payments in cash by the Bank of England.

It is not necessary to advert to the circumstances under which that re-

striction was originally imposed by order in Council in the year 1797, as they became the subject of Parliamentary inquiry previously to the passing of the act by which the restriction was confirmed and continued. Its duration was limited by the first act, which received the royal assent, on the 3d May 1797, to the 24th June following. From that period it was continued until one month after the commencement of the succeeding session; and again, by the first act of that session, until one month after the conclusion of the war, by a definitive treaty of peace.

In 1802, the provisions of the acts above referred to were continued in operation until the 1st March of the following year; they were further continued until six weeks after the commencement of the then next session of Parliament, before which period war having again broken out, they were continued until six months after the ratification of a definitive treaty of peace.

An act which passed in the year 1814 continued the restriction until the 25th March of the following year, when, by an act which recited in the preamble, "that it was highly desirable that the Bank of England should as soon as possible return to the payment of its notes in cash," the further suspension of cash payments was directed until the 5th of July 1816.

In 1816 it was again continued till the 5th July 1818, the preamble of the act reciting, "that it is highly desirable that the Bank of England should as soon as possible return to the payment of its notes in cash, but it is expedient that the provisions of the acts imposing the restriction shall be further continued, in order to afford time to the Directors of the Bank to make such preparations as to their discretion and experience

may appear most expedient for enabling them to resume payments in cash without public inconvenience, and at the earliest period, and that a time should be fixed at which the said restriction should cease."

The act which passed in the last session, after reciting that it is highly desirable that the Bank of England should as soon as possible return to the payment of its notes in cash, and that "unforeseen circumstances, which have occurred since the passing of the last act continuing the restriction, have rendered it expedient that the restriction should be further continued, and that another period should be fixed for the termination thereof," directed that the suspension should remain in force another year.

The restriction therefore at present stands limited to the 5th July next; and, in fulfilment of the duty imposed upon them by the House, your Committee will proceed, in the first instance, to report the result of their inquiries into the state of the Bank of England, and their opinion with respect to the expediency, of the resumption of payments in specie, at the period at which by law they are to be resumed.

1. Your Committee called for an account of the total amount of outstanding demands on the Bank of England, and of the funds in the possession of the bank for the discharge of those demands; and have ascertained that the sum which the Bank were liable to be called on to pay in fulfilment of their engagements, amounted on the 30th January last to L. 33,894,580, and that the Bank were then in possession of Government securities and other credits to the amount of L. 39,096,900, leaving a surplus in favour of the Bank of England of L. 5,202,320; exclusive of the permanent debt due

from Government to the Bank of L.14,686,808, repayable on the expiration of the charter.

This document furnishes a clear and decisive proof of the flourishing condition of the affairs of the Bank of England, and justifies that ample confidence which the public have reposed in the stability of their resources.

The next point upon which the Committee required information respects the amount of cash and bullion in the coffers of the Bank, at the present and at various other periods since the year 1797.

After several fluctuations in the amount of their treasure, which was very much reduced at the close of the war, there appears to have been a gradual increase from the month of July 1815, to the month of October in the year 1817. During the interval between July 1816 and July 1817, the market price of gold did not exceed L.3, 19s. per oz. The exchanges with the Continent for a very considerable portion of that period were in favour of this country; and the Bank took advantage of those circumstances, and made a great addition to the amount of the precious metals in their possession. The purchases made by the Bank appear to have had no unfavourable effect on the price of gold; and there is reason to believe, that, it would have fallen to the Mint price, had not the Bank fixed the rate, at which they were willing to purchase, at L. 3 : 18 : 6 per oz. Mr Goldsmid informed the Committee, that "at that period there were no other buyers in the market at the price which was given by the Bank; had there been, they would have been supplied on the same terms, if they had wanted gold." Being asked whether, if the Bank had not been purchasers at L. 3 : 18 : 6, he believes

the price of gold would have fallen to the Mint price, he answers, "I think it might after some time; but that is matter of opinion only."

In the year 1817, the Bank had a much larger amount of cash and bullion in their coffers, than they had been in possession of at any former period since their establishment. From the commencement of the year 1818 the stock has been progressively diminished. This diminution has taken place in consequence of engagements into which the Bank entered (in conformity with the power reserved to them by the original restriction act) in the months of November 1816, and April and September of the following year, to pay in the first and second instance cash for all notes issued prior to the 1st of January 1812 and 1st of January 1816; and in the latter to pay cash for their notes of every denomination dated prior to the 1st of January 1817.

The total quantity of gold coin issued from the Bank, in consequence of the engagements thus entered into, and the continuance of the fractional payments under five pounds, appears, by accounts before the House, to have amounted, between the 1st of January 1817 and the 1st of January 1819, to the sum of L. 1,596,256 in guineas and half guineas, and in sovereigns and half sovereigns to L. 4,459,725. Your Committee have ascertained, that subsequently to the 1st of January there has been a further demand on the Bank for gold to the extent of about L. 700,000. The total sum, therefore, which has been issued by the Bank since the commencement of the year 1817 has been about L. 6,756,000; and no doubt can be entertained that the coin thus drawn from the Bank was demanded, not for the purposes of

internal circulation, but in order to realize a profit, either on its sale as bullion in this country, or on its exportation.

Your Committee are confirmed in this conclusion by the documents before the House, from which it appears, that the sum issued from the 9th of December 1816, (when the notes of the Bank became payable under the notice issued in the preceding month), to July 1817, amounted only to L. 38,020, 10s., though the Bank had become liable on the 2d of May of the latter year to pay cash for all their notes of L.1 and L.2 value, dated prior to the 1st of January 1816.

In July 1817, the former exchanges became unfavourable, and have continued so since that period; a profit has been realized on the exportation of gold coin, and the Bank has been subject to a constant demand for cash in payment of their notes.

The following extract from the evidence given by Mr Alexander Baring shows the purposes to which a considerable portion of the gold thus withdrawn from the coffers of the Bank has been applied:—In France it appears, by the Report of the Minister of Finance, that there has been carried to the Mint of France, in the 16 months preceding the 31st December last, gold to the amount of L.125,000,000 of francs (being equal to about L. 5,000,000 Sterling); and silver to the amount of a little more than L.3,000,000 of francs. Of that gold upwards of three-fourths were in coin from this country; and this operation has continued during the present year, though the amount of the importations of this year has not been reported.

Your Committee are satisfied that the Bank, in undertaking to pay

their notes in cash, under the circumstances above mentioned, acted from the best motives, and from a belief that the measure would tend to facilitate the complete resumption of payments in specie. Unfortunately it has had a contrary effect; the last of the three notices having been given at a period when the exchanges were unfavourable, when the price of gold had risen from L.3 : 18 : 6 to L.4 per ounce; and at a time when the Bank had not (according to the evidence given by Mr Harman) that control over their issues which might have enabled them to counteract the effect of the unfavourable exchange, by a reduction of their paper currency.

There was, in fact, in the half-year between July and December 1817, a considerable increase in the amount of notes issued by the Bank. The average amount outstanding in the four half years preceding had not exceeded L.26,771,914; in this half year it was increased to L.29,210,035, having been in the previous half year L.27,339,768. It appears by the returns, that on the 5th July 1817, immediately preceding the payments of the dividends, the amount outstanding was L.25,800,000; and on the 4th of October, being a few days before the payment of the dividends of that quarter, the amount was L.28,900,000.

The issue of sovereigns between July and December 1817, amounted to L.1,240,422; so that, had the sovereigns remained in circulation, there would have been an increase to the circulating medium issued by the Bank of England, in the course of that half year, compared with the average amount outstanding in the four half years preceding, to the extent of L. 3,678,543.

Your Committee cannot avoid expressing an opinion, that whatever

might be the policy, and however laudable the intentions of the Bank, in engaging to make partial issues of coin in payment of their notes, yet, when the exchanges became unfavourable, and the price of gold rose above the Mint price, the only mode by which they could have retained the coin in circulation would have been a contraction of their issues; and unless the Bank at that period possessed such a control over the amount of those issues, as would have enabled them to effect that object, your Committee must consider it to have been expedient in the then state of the exchanges, to undertake an extensive though partial issue of coin, which subjected the Bank to considerable loss, and a great drain of treasure.

Under these impressions, and from a firm conviction that the continued issue of coin from the Bank, by diminishing the amount of their treasure, would have the effect of postponing the period at which the termination of the restriction can take place; without producing, on the other hand, any advantage whatever to the country, while the exchanges and the price of gold are in their present state, your Committee were induced to recommend to the House, in their first report, the immediate enactment of a law to suspend all payments in gold coin by the Bank, until your Committee might be enabled to present to the House their view of the whole subject which has been referred to their consideration.

The next important point to which the Committee will call the attention of the House is the amount of the issues of the Bank of England, which are outstanding upon Government securities; or, in other words, the amount of the debt due by the public to the Bank of England.

The necessity of the repayment of a large portion of that debt has been so earnestly insisted on by the Bank, and the nature and extent of the connexion between the Government and the Bank involve so many important considerations, that your Committee deem it incumbent upon them to enter into some detail with respect to the origin and gradual increase of the advances made by the Bank on behalf of the public, and the effect which they have, when carried to the amount at which they at present stand, of depriving the Bank of that control over their issues of notes, the possession of which is deemed by them an essential preliminary to the resumption of cash payments.

In the Appendix to the Report will be found an account of the amount of advances made by the Bank of England to Government on Exchequer Bills and other securities, from the year 1792 to the latest period to which it can be made up.

The first item of this account, entitled, "An advance out of sums issued for the payment of dividends now amounting to the sum of L. 1,098,820," ought not, in the opinion of your Committee, to be considered as any portion of the debt due by the Government to the Bank. It arises from money originally lodged by Government at the Bank, for payment of dividends to public creditors, which, not having been claimed, has been withdrawn from the Bank, and applied to the public service, under the provisions of acts of the Legislature passed in the years 1791, 1808, and 1816. It is not therefore an advance from the funds of the Bank, but it is the property of the public creditors, which has been made available for public purposes, until demanded by them.

It will be seen from the account,

that a great proportion of the advances of the Bank are at present made under the two heads of "Exchequer bills issued," and "Exchequer bills purchased;" and before the Committee point out the distinction between those heads of the account, they will shortly advert to the laws which have been passed since the institution of the Bank for the regulation of their advances to Government.

On the original establishment of the Bank, by the 5th and 6th William and Mary, a penalty is imposed upon the Directors, if they purchase, on account of the Corporation, any Crown lands, or if they advance to his Majesty any sum of money by way of loan or anticipation on any branch of the public revenue, other than on such funds only on which a credit of loan is or shall be granted by Parliament. Such credits have ever since been granted from time to time, and advances made upon them. The amount annually, from the year 1777 to the year 1792, extracted from the documents published in the Report of the Committee of Secrecy of 1797, will be found in the Appendix.

In the year 1793 an act was passed, protecting the Governor and Company of the Bank of England from any penalty, on account of their having advanced, or advancing in future, any sums of money in payment of bills of exchange accepted by the Lords of the Treasury, and made payable at the Bank, but not charged on any branch of the revenue. The motives for passing this act are fully detailed in the evidence given by Mr Bosanquet, then a Director of the Bank, to the Committee of Secrecy in the year 1797. He states, "that it had been the custom of the Bank, time out of mind, to advance,

for the amount of 'such Treasury-bills of exchange as were directed for payment to the Bank, until the amount was about 20 or L. 30,000, when the Treasury usually sent orders for the amount of such advance to be set off from the respective accounts to which the bills properly belonged. In the American war, they had been permitted to run to a larger amount, but he believed they never exceeded L. 150,000.' Doubts occurred to him, when Governor, whether the penalties of the Act of William and Mary did not extend to this transaction; and for the purpose of removing them, the Act of 1793 was introduced and passed." It appears to have been originally proposed, that the Bank should be empowered to advance to a limited amount of L. 50,000 or L. 100,000; but the act passed without any limitation; its operation being of course confined to advances upon Treasury bills of exchange; on which species of security, however, no advances appear to have been made since the restriction.

By an act which passed very shortly after the first restriction act, the Bank were prohibited from making any loan or advance on account of the public service during the continuance of the restriction; but at the commencement of the following session it was enacted, "that the Bank may make an advance on the credit of duties on malt, and on the land-tax imposed in that session, and any other advance which may be authorised by any other acts which may be passed during the continuance of the restriction."

In almost all the acts authorising the issue of Exchequer-bills passed subsequently, a special clause has been introduced, empowering the Bank to advance the whole or a

portion of the amount specified in the act. They never advance any sum beyond the amount to which they are limited in the several acts, nor have the bills issued to them and the bills purchased by them, together, exceeded that amount.

The bills described as "issued" are those which pass directly to the Bank from the Exchequer, under special contracts or agreements entered into; as, for instance, the bills issued upon the credit of annual duties, and upon the advance of L. 3,000,000 as a loan to the public, in consideration of the renewal of the charter.

The bills "purchased" are those which are taken by the Bank (usually on an application from the Treasury), when an issue of Exchequer-bills takes place, and when they can-

not be sold to the public at a premium. The Bank never credit any premium, nor deduct any discount upon the bills thus taken; nor do they resell such bills to the public.

An account in the Appendix shows the total amount of Exchequer bills authorised to be issued by Parliament in every year, since the year 1792, and the amount which the Bank was authorised to take of each description of bills.

The amount of the advances of the Bank to Government, (deducting the sum issued from the unclaimed dividends), on the 26th of February, and 2d of August of each year, since the year 1814, and of the Bank-notes issued during the corresponding half years, appears from the accounts presented to your Committee to have been as follows:—

Bank Notes.			Advances.		
1814.	Jan. to June	25,511,012	Feb. 26, 1814,	25,607,300	
	July to Dec.	28,291,832	Aug. 2, —	34,937,800	
1815.	Jan. to June	27,155,824	Feb. 26, 1815,	27,156,000	
	July to Dec. "	26,618,210	Aug. 2, —	24,079,100	
1816.	Jan. to June	26,468,283	Feb. 26, 1816,	18,988,500	
	July to Dec.	26,681,398	Aug. 2, —	26,042,600	
1817.	Jan. to June	27,359,768	Feb. 26, 1817,	25,599,500	
	July to Dec.	29,210,055	Aug. 2, —	27,330,718	
1818.	Jan. to June	27,954,558	Feb. 26, 1818,	27,002,000	
	July to Dec.	26,487,859	Aug. 2, —	27,060,900	
			Feb 11, 1819,	21,930,000	

From the year 1790 to the year 1797, when the Restriction Act passed, the amount of advances made by the Bank to Government, and of the notes outstanding on the 25th of February in each year, was—

	Bank-Notes.	Advances.
1790	10,217,360	7,908,968
1791	11,699,140	5,603,978
1792	11,349,810	9,839,398
1793	11,451,180	9,066,698
1794	10,963,380	8,786,514
1795	13,539,160	11,114,230
1796	11,030,110	11,718,730

The amount, therefore, of advances to the Government does not ap-

pear to have borne, for some time previously to the restriction act, a much less proportion to the total amount of notes outstanding than the advances since 1814 have borne to the notes issued in corresponding periods.

It will be seen that a material reduction of the debt to the Bank took place between the month of August 1815 and the month of February 1816, it having been reduced in the latter period to the sum of L.18,988,300, deducting the advances from unclaimed dividends.

This debt was again increased between February 1816 and the August following.

In that interval, war taxes to a very considerable amount were remitted : a large addition, authorised by several acts of Parliament, was made to the unfunded debt, and to the advances for which the Government were indebted to the Bank. The amount of those advances was again reduced from L.27,060,900 to L.21,300,000, between the 2d of August 1818 and the 11th of February 1819.

It was proposed, in May 1818, to repay to the Bank a sum of from 8 to L.9,000,000, by gradual instalments of L.1,000,000 a month, from the month of May ; the Bank having then considered that repayment sufficient (according to the evidence of the Governor) “ to enable them to make the experiment of the resumption of cash payments.”

To meet these charges, and the services of the year, and also to effect a further reduction of the unfunded debt, provision was made by a loan of L.3,000,000 in money, and a gradual funding of Exchequer-bills to the amount of about L.27,000,000, with power to the subscribers of making money payments, instead of bringing in Exchequer-bills ; and it was understood that the Bank should retain one half of the monies paid in, to the extent of the monthly payments above mentioned.

It appears, however, that the sum paid in money on account of this loan fell short of the amount which was expected, and the repayment to the Bank did not much exceed L.5,000,000 at the end of January 1819, L.1,000,000 of which the Bank do not consider as an effective repayment, interest to that amount being due to the Bank upon the whole of their advances.

The amount of the advances of the Bank to Government was, on the 29th of April last, L.19,438,900 ; the sum of L.1,098,820 being deducted from the account furnished by the Bank, as the amount of advances on sums issued for the payment of dividends.

It will be seen, by reference to a communication made by the Court of Directors of the Bank to the Committee, as well as from the whole tenor of the evidence of the Directors who were examined personally before them, that they consider the repayment of a large proportion of those advances essentially necessary, preparatory to the resumption of cash payments. As the notes which are issued by the Bank upon the discount of mercantile bills revert to them at the expiration of the period which those bills have to run, and which never exceeds sixty-five days, it is quite clear that that portion of their issues can be extended or limited at their discretion, whilst over the notes which are issued in consequence of advances to Government they have not practically the same control. To whatever extent these advances may be reduced, the Bank will gain a corresponding control over the amount of their circulating paper, and will be enabled to supply the diminution of notes thus created, by an increase of their issues, either upon the discount of mercantile bills, or by the purchase of bullion ; or, if necessary, to make a reduction in the total amount of notes outstanding equal to the whole or any part of the repayment.

The only mode during a suspension of cash payments by which the Bank can effect a reduction of their issues, supposing no part of the advances made by them to the Government to be repaid, is by limiting that accommodation to trade which

they have long been in the habit of granting, by the discount of mercantile bills of undoubted solidity, arising out of real commercial transactions, and falling due within short and fixed periods.

Although the amount of the advances made by the Bank on public securities is accurately stated in the account in the Appendix, and although the Committee strongly advise the repayment of the portion of them required by the Bank; yet they think it necessary to observe, that in determining the actual amount of the debt due to the Bank, on account of these advances, an allowance ought to be made in favour of the public to the extent of the balances of public money deposited at the Bank.

The attention of Parliament appears to have been first called to the extent and operation of those balances in the report of the committee on public expenditure, presented in the year 1807; from which it appears, that the aggregate amount of the public money deposited at the Bank was then calculated to be L. 11,104,919; and a sum equal to 5 per cent. interest on the average balances in question was considered by that Committee not far from the amount of the profits derived by the Bank from this source. The average amount of public balances held by the Bank appears to have been about L. 11,000,000 from the year 1807 to the year 1816; and in consideration of the advantage resulting to the Bank from the possession of them, the sum of L. 3,000,000 was advanced by the Bank to Government without interest in 1808, which advance was continued under the authority of acts passed by the Legislature, to April 1818. Since the year 1816, the public balances held by the Bank have been diminished,

and their average amount in the year 1818 did not exceed the sum of L. 7,000,000. Their amount has been still further reduced by the operation of an act which has passed in the present session, which makes the growing produce of the consolidated fund available to a limited extent for the public service; and in a certain degree within those limits lessens the benefit previously derived by the Bank from its accumulation from the first to the last day of each quarter. . .

It appears, however, to the Committee, that whatever may be either now or hereafter the amount of the public balances held by the Bank, that amount ought always to be kept in view, and allowance made for it when the advances from the Bank to the Government are under consideration; for it is clear, that if a final settlement of this account were to take place, the public money deposited with the Bank must be set off against the advances made by them to the Government upon Exchequer-bills, and the securities bearing interest.

In confirmation of this view of the subject, the Committee beg leave to refer to the evidence of Mr Haldimand, now one of the Bank Directors. He states, that "it is his opinion, that a sum of from 8 to 10 millions should be repaid to the Bank by Government, supposing the public balances to remain without any considerable decrease in amount." And being asked, "Does the aggregate amount of such balances operate as a diminution of the total amount of the total advances made by the Bank to the public?" he answers, "Yes, it does."

For the reasons alleged, it appears to your Committee, that although the amount of the advances of the Bank upon Government securities is accurate-

ly stated in the Appendix, yet in determining the effect which these advances have, of diminishing the control of the Bank over their issues, a deduction must be made corresponding in amount to the average sum held for any given period by the Bank as a deposit of public money, since that deposit, by lessening the amount of notes in circulation, restores to the Bank, in proportion to its extent, the power of acceding to the applications made to them for the discount of mercantile bills.

Your Committee trust they shall not be considered to have entered into unnecessary details in having thus given a full exposition of the relations between the Government and the Bank. It will be seen by reference to the evidence, that the amount of their advances to the public is urged by the Bank as one of the main impediments to the early resumption of cash payments; and that in order to make preparation for their resumption, the Bank require a repayment to the extent of ten millions. The Committee was anxious, therefore, that the amount and operation of these advances, and the degree to which their effect is counteracted by the balances of public money held by the Bank, should be clearly understood; and this appeared to them the more necessary, as the Committee feel it their duty to close this branch of their inquiry, with an earnest recommendation to the House to make immediate provision for the gradual repayment to the Bank of that portion of the debt which the Bank require to be repaid, and to establish some permanent provisions, limiting and defining the authority of the Bank to make advances to the Government, and to purchase Government securities; and bringing under the constant inspection of Parliament the extent to

which that authority may be in future exercised.

II. Your Committee proceed to the next head of their inquiry—the expediency of reverting to cash payments, at the period fixed by law for their resumption.

It will be seen, by a reference to the papers in the Appendix, that the Bank, without departing from the principles upon which their issues on the discount of mercantile bills have long been regulated, have made a very considerable reduction in the amount of notes outstanding, compared with their amount at the commencement of the year 1818.

From July to December 1817, the average amount was	L.29,210,035
From January to June 1818,	- - 27,954,518
From July to December, ditto,	- - 26,437,859
The average amount for the three months to the end of March 1819,	- - - 25,794,460

Should the Legislature determine on the restoration of cash payments on the 5th of July next, the Directors of the Bank would naturally feel themselves compelled to postpone the consideration of all other interests to the security of the establishment over which they preside, and would make a further and very sudden reduction of that portion of their currency which they have immediately within their control.

Much important testimony will be found in the minutes of evidence, with respect to the effect to be apprehended from a very rapid diminution of the present amount of currency upon the trading and agricultural interests of the empire, of which evidence your Committee deem it incumbent on them to extract a portion, sufficient to give the House a

just idea of the opinions upon this subject prevailing amongst the persons whom they examined.

Mr Alexander Baring, being requested to state in what manner an attempt to effect the restoration of cash payments within the period of a year would operate upon the commerce and internal concerns of the empire, replied, "The resumption of cash payments can only be effected by drawing bullion into the country, by a reduction of the issues of the Bank. I cannot think that the Bank could pay in specie, with any expectation of continuing in that state, until there was a considerable portion of specie already in the circulation of the country. I apprehend that by no process, even if the effects of any sudden reduction of issues were totally disregarded, could the sum necessary for the purpose be brought into the country within the period mentioned. I am further of opinion, that the operation of reduction necessary for the purpose I have mentioned must always be accompanied by some restraint and inconvenience to every branch of industry; and that if it were forced, with a rapidity at all approaching to what would be required for the payment in the course of a twelvemonth, the injury would be intolerable; the reduction of paper would produce all those effects which arise from the reduction in the amount of money in any country—an effect which I think is well described in Mr Hume's 'Essay on Money.' The consequences of a contraction or expansion of the amount of money in a country seem more felt during the progress of such contraction and expansion, than from any positive amount of money at any one given period. It is not, in my opinion, of great importance what amount of money may exist in any country; but that the question of,

whether it is on the increase or decrease, is one of great importance to every branch of its industry."

Mr Haldimand stated, "that he conceived it to be necessary that the Bank of England, in order to be enabled to resume the payment of its notes in specie, should reduce their present amount to the extent of three or four millions forcibly." He explained, "that by the term forcibly he meant a reduction, not arising from three or four millions less being demanded, but from three or four millions being demanded and refused by the Bank to the public and Government. He considered this forced reduction of the issues of the Bank of England to be necessary, in order to restore the rest of the paper in circulation to its ancient value in gold, and the exchanges to par." Being asked if, "in order to produce the effect which he anticipated from a forcible reduction of the issues of the Bank, it would be necessary that the reduction should be sudden?" he replied, "In my opinion every possible disadvantage and inconvenience to the public would arise from a sudden reduction; I should certainly recommend its being gradual."

Mr Gladstone, a Member of the House, and a merchant principally engaged in trade with the East and West Indies, and occasionally in general trade, gave an opinion, "that the influence which the reduction of the Bank issues produce is of a secondary nature; that in other times, the alteration of two or three millions in their issues would not have been at all felt; but that in the present state of the trade of the country, after a year of much overtrading, and a great accumulation of foreign goods in the country, and of British goods for British account in foreign markets, whatever tends to narrow the means of circulation acts in a much

greater degree now than it would in other times."

After a full consideration of the evidence, and of the several matters to which it is material to advert, in considering the expediency of resuming payments in cash on the 5th July next, the amount of the advances of the Bank to Government, the quantity of bullion in their coffers, the probable effect of a rapid and considerable reduction of their issues, in whatever manner, or with whatever views such reduction might take place, your Committee are decidedly of opinion, that it is expedient to continue the restriction beyond the 5th of July next.

III. Your Committee have now presented to the House their view of the two important points which they proposed (according to the order of reference) to make the first subjects of their investigation—the state of the Bank of England, and the expediency of resuming cash payments on the 5th of July next. They now proceed to offer their observations with respect to the period at which it may be advisable to terminate the restriction.

They will, in the first instance, advert to the supply of gold which may be required in order to meet the probable demands upon the Bank on the resumption of payments in specie.

It is difficult to form any accurate estimate of the amount of gold in circulation previously to the year 1797; and conjectures with respect to that which will hereafter be required, must necessarily be more vague and unsatisfactory.

In the communication made to the Committee by the Court of Directors of the Bank on the 25th of March it is observed, "that the amount of specie in circulation before the war was variously estimated even by persons best qualified from their situa-

tion to obtain information." It seems, however, to have been agreed that it was about L.30,000,000; but whatever the amount, the whole has been exported.

Mr Harman states in his evidence, "that the amount of gold in the country, previous to the restriction, had been estimated by the late Lord Liverpool at L.30,000,000. Mr Rose stated it higher; but perhaps if we were to take it at L.20,000,000, that might be about the amount which was in circulation previous to the restriction act." He adds, "that he thinks he is warranted in saying, that if L.20,000,000, besides what remained in the Bank, was necessary for the scale of expenditure before the restriction act, it is taking it moderately to contend that as much would be necessary now."

Mr Alexander Baring observed, "that it is difficult, indeed impossible, to form any accurate estimate; but his impression is, that with a new and perfect coin, such as the sovereign, which in his opinion would exclude the L.1 and L.2 notes, whether they are by law excluded or not, the amount of such a gold coin would not be much less than from L.40,000,000 to L.45,000,000. He does not mean that the whole amount would be required before cash payments could be resumed; but he thinks that they could not be safely undertaken with much less than half of that amount actually in the country, which its circulation would ultimately absorb; and that the half could not be accumulated, without great pressure upon the country, in less than four or five years from the present time."

The data on which any reasoning with respect to the amount of metallic currency that will be required subsequently to the removal of the restriction are so imperfect, that your

Committee abstain from offering any decisive opinion upon the subject; but they think that Mr Baring has over-rated that amount. With respect also to the disposition of the public to require gold coin as currency in preference to notes under five pounds, a conclusion may be drawn, from the testimony of other witnesses, differing from that which Mr Baring has formed. It has been observed in a former part of the report, that when the Bank undertook to pay their notes in cash in the year 1817, no preference for coin was shown until the foreign exchanges caused a demand for the purpose of exportation. Mr Harman states in his evidence, "that at that period he was induced to flatter himself that the doors of the Bank would be opened,—that (if he might use the expression) the public would hardly know whether the Bank was open or shut—that it was in a moment of tranquillity that people seemed indifferent about gold—that instead of coming to the Bank for gold, they brought their gold to the Bank; that it remained till the financial operations in France began, and as soon as they were talked of, the tide turned."

Mr Stuckey, a gentleman very extensively connected with banks in the county of Somerset, gave evidence to the following effect:—"In the latter end of the year 1816 and beginning of 1817, we had a circulation of coin for some months; it cost us at that period nearly £100 to transmit the surplus quantity of coin to London, of which 4-5ths of its value, at least, consisted of gold. We could not get rid of it in the country, our customers preferring our notes. In the spring of 1817, I brought with me to town near one thousand guineas from one of our banks; on taking them to our London banker, he requested as a favour I would not leave them

there. They had lately sent so many to the Bank of England, that they did not like to trouble them any more; besides, the Bank only took those which were of full weight."

Notwithstanding this evidence, it must be admitted, that no satisfactory conclusion can be drawn from the experience of so short an interval as that which is referred to by Mr Harman and Mr Stuckey. Great uncertainty must prevail with respect to the amount of gold which may be required for the purposes of internal circulation; and the Bank must be prepared, not only for the possibility of a much larger demand for those purposes than will probably be made, but for the consequences of a drain upon their treasure, induced either by such a temporary depression of the exchanges as shall afford a profit on the exportation of the precious metals, or by a disposition to hoard them, arising from sudden panic and temporary want of confidence in paper currency. It must be considered also that the stock of gold now in this country is very limited. The long continuance of the restriction has caused the exportation of nearly the whole of that which circulated previously, and the natural inducement to transmit the coin from this country, where it was not necessary, to other places, where it could be more profitably employed, has been in a very trifling degree counteracted by the legislative enactments which prohibit such an application of it.

It is possible, in the opinion of your Committee, again to procure any quantity of gold which is likely to be required for the purposes of currency; but a corresponding amount of the capital of the country must be withdrawn from productive employment, for the purpose of acquiring and retaining the gold in circulation; and causes are at pre-

sent in operation, which are likely, by increasing the value of the precious metals, to increase in a proportional degree the difficulty of obtaining within a limited period an adequate supply for the use of this country.

It appears that the Governments of other countries in Europe are now occupied in substituting a metallic, for a large portion of the paper currency, which the necessities of war compelled them to establish; and that the supply of gold and silver imported into Europe of late years has been diminished in consequence of the disturbed state of the Spanish colonies.

These efforts on the part of other countries to restore to par with the precious metals the value of their respective currencies, would, by making the exchanges more unfavourable to this country, aggravate the evil of a long continued restriction; but they will certainly, by increasing the value of the precious metals, render increased exertion on our part necessary for procuring a sufficient supply.

The ability of the Bank, however, to resume and continue cash payments depends less upon the actual amount of treasure it may be possible to accumulate, than upon the state of the foreign exchanges previously and subsequently to their resumption, and to the degree of certainty there may be that the market price of gold can be reduced to and made to conform with the Mint price.

Unless such a reduction can be effected, and such a conformity established, it will be in vain for the Bank to expend their capital in the purchase of bullion. No accumulation of treasure, to whatever extent it may be carried, can render the Bank competent to satisfy the de-

mands which will inevitably be made for gold, if the bank are, under an obligation to issue it at the rate of £3 : 17 : 10½ per ounce, and if the parties having a right to demand it can continue to realize a profit of 5 or 6 per cent. upon its exportation.

The documents in the Appendix afford ample information with respect to the state of the foreign exchanges, and the price of gold measured in Bank-notes, for several years past; and the various opinions of those who were deemed by your Committee most competent to form a judgment with respect to the causes which have of late influenced the exchanges, and the price of gold, will be ascertained by a reference to the evidence.

Your Committee have already observed, that for a considerable part of the years 1816 and 1817 the foreign exchanges were in favour of this country, and that since the month of July of the latter year they have been below par. Some of the witnesses ascribed the unfavourable change to the effect of the loans which had been made about that period by foreign Powers, to the remittance of British capital for the purpose of being invested in foreign securities and foreign commercial enterprise, and to the effect of a very large importation of corn in the course of the last year; and some of those witnesses are of opinion, that no measures could have been taken by the Bank to control the effect of such extensive remittances.

Other witnesses, admitting that the causes which have been adverted to had a tendency to depress the exchanges, conceive that a contraction of the issues of the Bank sufficient to counterbalance the operation of these causes, might, and infallibly would have taken place, had

there been an obligation on the Bank to pay its notes in specie on demand.

However the exchanges may have been thus effected, in the course of the last and the preceding year, your Committee see no reason to apprehend that the causes above-mentioned, or any similar causes, can continue to affect them in such a degree as to preclude the Bank of England, by a constant reference to the exchanges and the price of gold, and when necessary, by a cautious reduction of the paper currency, from gradually approximating its value to that of gold, and ultimately re-establishing and maintaining it at par.

Your Committee have had submitted to them a calculation of the amount of British capital now invested in foreign securities, and of the remittances which may probably be required for further payment on account of foreign loans. The calculation is founded on the estimates of three commercial houses, extensively engaged in foreign loans, which estimates are stated to vary to an inconsiderable extent; and it is computed that the amount of British capital in foreign public securities is about L. 10,500,000, L. 7,000,000 of which are supposed to be in French stock. This estimate was furnished to the Committee by Mr Haldimand, who thinks there is a possibility of error, to the extent of 1 or L. 2,000,000. He is of opinion, that little or nothing more will be sent from this country on account of foreign loans, now in course of payment.

Mr Holland, a partner in the house of Messrs Baring, does not consider the whole amount of British capital invested in foreign, including American, funds, to be L. 10,000,000; he speaks of capital permanently invested, and does not

take into the account that which must have been employed in speculation in foreign funds, a great part of which, he observed, had been drawn back with profit to this country. He does not think that more than L. 3,000,000 of British property are permanently invested in French stock; and is of opinion, that if it advances in price, a considerable portion of that will be withdrawn, and that there is no probability that any considerable sum will be remitted from this country, in consequence of loans now contracted for abroad.

Your Committee are of opinion, that the future effect upon the exchanges of remittances on account of foreign loans will be very limited; that preparations for the resumption of cash payments will tend to diminish that effect; and that subsequently to their resumption it will be subject to a constantly operating control. In corroboration of this opinion, the Committee refer to the manner in which the exchanges of France and Holland (countries having a metallic currency) have been affected by similar remittances.

The Dutch capitalists have embarked to a very considerable extent in the foreign loans that have recently been made, and are supposed to have taken nearly three-fourths of those made by Russia; but no sensible effect has been produced upon the exchanges or currency of Holland. France, notwithstanding the great extent of contributions to foreign Powers, which have been defrayed by that country, has maintained an ample metallic currency. It appears in the evidence of Mr Holland and Mr Irving, that the price of gold has remained nearly stationary at Paris for the last four years; that in 1807, when there was in this country a variation in its price to the extent of seven per cent. there

was none in Paris ; and that between the 5th of October and the 22d of December last, whilst the variation in the exchanges between Paris and this country amounted to four per cent., the greatest variation between Paris and any country which had a metallic currency did not exceed one half per cent.

Mr Rothschild being examined, as to the effect of the contributions which France has paid to foreign countries, upon her exchanges, replied, " Perhaps from one to one and a half per cent."

When your Committee consider the extent and value of the exportable produce of this country, they can have no doubt of its ability to command such a portion of the precious metals as may be necessary for the purposes of internal currency, and to maintain them in circulation by the same means by which they are maintained in other countries, where, from an imperfect state of credit and confidence, and the absence of banking establishments, a much larger metallic currency is necessary than this country will require, in proportion to its foreign trade and internal commercial dealings.

Difficulties must be encountered during the preparations for the resumption of payments in specie; but these difficulties are, in the estimation of your Committee, outweighed by the important and permanent benefit of restoring the standard by which, previously to the year 1797, the value of commodities was measured, and which, though variable in a certain degree, is much less exposed to fluctuation than any other that can be devised.

Your Committee abstain from entering more at large into this important topic, from a consideration that the Legislature has on various

occasions expressly pronounced its opinion on the policy of re-establishing the metallic standard of value ; and that the duty which it has devolved on your Committee is no other than that of considering at what period, and by what means, that great object can be best effected. They see nothing in the circumstances of this country, or of Europe, which can render it expedient to postpone preparations for the resumption of cash payments, and by thus deferring, most probably to aggravate the difficulties which may be inseparable from that measure. If, however, the Committee can suggest to the House any plan by which in their opinion the pressure of such difficulties may be greatly relieved, and at the same time the most important of the advantages which would accompany a return to cash payments can be realized, they trust they shall not be considered to exceed the powers committed to them by the suggestion of such a plan, though it may involve a temporary departure from the laws which regulated our currency previously to the restriction.

A plan of this nature has been under the consideration of your Committee ; and before they explain its details, or assign the ground on which they are disposed to recommend the several measures which form a part of it, they will present its general outline to the house.

They propose, that after the 1st May 1821, the Bank shall be liable to deliver a quantity of gold, not less than sixty ounces, of standard fineness, to be first assayed and stamped at his Majesty's Mint, at the established Mint-price of L. 3 : 17 : 10½ per ounce, in exchange for such an amount of notes presented to them as shall represent at that rate the value of the gold demanded,

That this liability of the Bank to deliver gold in exchange for their notes shall continue for not less than two nor more than three years, from the 1st of May 1821, and that at the end of that period cash payments shall be resumed.

That on a day to be fixed by Parliament, not later than the 1st of February 1820, the Bank shall be required to deliver gold of standard fineness, assayed and stamped as before mentioned, in exchange for their notes, (an amount of not less than sixty ounces being demanded,) at L. 4, 1s. per ounce, that being nearly the market price of standard gold in bars, on an average of the last three months.

That on or before the 1st of October 1820, the Bank shall pay their notes in gold of standard fineness, at the rate of L. 3 : 19 : 6; and on or before the 1st of May 1821, as before mentioned, at the ancient standard rate of L. 3 : 17 : 10½.

Your Committee proceed to state the reasons which induce them to recommend the adoption of these suggestions.

By requiring the Bank to pay, after the 1st of May 1821, a given quantity of notes in standard gold, at the Mint price, a security against fluctuation in the value of the paper currency will be provided, of the same nature with that which payments in specie afforded previously to the restriction act. If the issues of the Bank shall at any time exceed the amount to which they must be limited, in order to maintain their value on a par with gold, the Bank will be subjected to an immediate demand for gold, and will naturally have recourse, as before the restriction, to the contraction of the issues of their paper.

The chief recommendation of this plan, in the opinion of the Commit-

tee, is, that it will enable the Bank to pay their notes in gold at a much earlier period than they could pay them in the present gold currency. There cannot, while this plan is acted on, be any demand for gold for the purpose of internal circulation; and whatever quantity it would be necessary to provide with the view of replacing the small notes at present in circulation, may therefore be dispensed with. That portion of capital which must otherwise be applied to the purchase of an expensive and unproductive instrument of commerce will be less available for the employment of productive labour; or, at any rate, time will be afforded, during the operation of the plan, for the gradual abstraction of that capital, and for the accumulation of such a stock of the precious metals as may enable the Bank with perfect safety to supply a metallic currency. Although in the event of general panic, and a want of confidence in the stability of paper credit, the Bank would be exposed to the same demand to which they would be liable were cash payments resumed; yet it is probable that the drain caused by sudden and local alarms would be greatly diminished, if not altogether prevented.

In speaking of this plan, Mr Baring observes, "Under such a system, the whole amount of bullion that would be required must be that amount which the Bank would be under the necessity of keeping, for the purpose of balancing the variations that may from time to time occur in the amount of currency which at different periods the state of the country may require, and farther, any amount which the public may be disposed to hoard. I should not think that the amount so required by the Bank could much exceed 5 or L. 6,000,000, because it should

not think that the contraction and expansion of currency at different periods could go much beyond that amount. Hoarding would go certainly to a less extent than under a system of coin, because there could be no small hoards, and persons would be less disposed to hoard larger sums when they had not the means of issuing them as currency, if they should be disposed to do so, otherwise than by selling or carrying them to the Bank. Under these circumstances, I should incline to think, that L. 10,000,000 of bullion would be abundant for every purpose; but it is difficult to speak with accuracy of an untried plan."

With respect to the preservation of the standard of value, Mr Baring states, "That he is quite confident that the standard of the country, and of course the par value of the paper, would be preserved in much greater purity than under any system of coin."

Mr Holland delivered a paper to the Committee in reference to the plan of bullion payments, in which he thus expresses his opinion: "I can venture to assert, as a practical man of business, that there will be little if any difficulty in carrying it into effect; that it will not unnecessarily cramp circulation; that it will not impede the ordinary measures, either of Government or the mercantile community; but that, on the contrary, it will restore order and harmony to the system, and give to the country what all parties who wish its welfare desire—a safe and efficient standard of value; variable, it is true, in a certain degree, but less variable than any standard which any country has ever yet established."

Your Committee will now give their reasons for recommending the arrangement, which they have suggested, for regulating the mode in which

gold shall be issued in exchange for Bank-notes, between February 1st 1820 and May 1. 1821.

The Committee consider it necessary to fix a definite period at which the Bank shall be under the obligation of issuing gold at the Mint price; and a standard be thus established to which the value of the paper currency shall conform, and by which its issues shall be regulated. Parliament has on more than one occasion since the peace fixed a period for the return to payments in specie; and when it has consented to a further suspension of them, has expressed an opinion that their resumption was highly desirable; and has assigned as the reason for continuing the restriction, the expediency of enabling the Bank to make such preparations as to their discretion and experience might appear most expedient, for enabling them to resume payments in cash without public inconvenience.

Your Committee, therefore, are desirous, in recommending the further postponement of those payments, to devise some additional security that preparations shall be made for their resumption; to prevent an impression on the public mind that further suspensions will take place; and to induce a gradual accommodation of commercial transactions to a system of currency which, having been long discontinued, could not be suddenly resumed without restraint and embarrassment. They conceive that such security will be best provided by requiring the Bank to revert at an early period to that principle on which, previously to the restriction act, their issues were regulated—a reference to the price of gold. They propose, therefore, that, time having been allowed for the repayment of a portion of the advances to Government,

the Bank shall undertake at a given period to deliver gold in exchange for their notes in the manner already described.

Between the present time and the commencement of the year 1820, the Committee cannot anticipate an operation of any of those causes which affect the value of the precious metals so extensive as to prevent the Bank from counteracting the effect of them, by such a reduction of their issues as may be made without producing public inconvenience.

If the price of gold shall remain the same as it is at present, the demand from the Bank, which will have to deliver it at that price, will necessarily be very limited. If in the interval any causes shall affect it, and produce a rise in its price, the Bank must in that case contract its paper, either positively, as compared with its present amount, or relatively, to any increased demand which there may be for it; and thus by increasing its value as currency, proportionately diminish the inducement to demand gold.

It may be objected that the adoption of this suggestion appears to recognise a departure from the ancient standard of value; but it recognises it no otherwise than as it at present practically exists: it recognises it for a very limited period, and with no other view than to provide for the gradual return to that standard, the deviation from which it acknowledges.

The Committee trust that they have sufficiently explained the grounds on which they recommend that, with a view to the establishment of a metallic standard of value at the earliest period, the Bank should be required to deliver standard gold in exchange for their notes.

They do not express any prefer-

ence for the system of bullion payments over that of payments in specie abstractedly; nor are they prepared to recommend them as a permanent substitute: but they consider them the best means of facilitating and ensuring the resumption of payments in specie with the least public inconvenience. They are of opinion, that when once the ancient standard of value in this country has been re-established, the great impediments to a return to our former system will be overcome; and it will be in the power of the Bank, or of individuals, by taking advantage of a favourable state of exchange, to increase the supply of the precious metals in this country to any extent to which they are likely to be required.

Your Committee are aware that it may be objected to the plan of bullion payments which they have recommended, first, that by necessarily continuing the notes below five pounds in circulation, it continues the present inducements to the crime of forgery; and, secondly, that by requiring the presentation of a large amount of notes in demand for gold, it gives to the possessor of notes to that amount an accommodation which the holder of a smaller quantity will not possess. On the first of these objections, your Committee observe, that it is scarcely possible to calculate on a resumption of specie payments accompanied with the total exclusion of the small notes, at a period much if at all earlier than that at which it may take place, if the recommendation of the Committee be adopted. When the Legislature has, at former periods, contemplated the removal of the restrictions, the necessity of continuing the circulation of the small notes for some time subsequently has been foreseen, and is at present provided for by law.

It is true, that after the resumption of cash payments, the amount of small Bank-notes in circulation would probably be diminished, but there seems no reason for concluding that the temptation to forgery, which must depend on considerations of risks and profit, would be diminished in proportion to the decrease of those notes, provided they were not altogether excluded. The force of this objection will also be lessened proportionately to the degree of success which may attend the attempts that are at present making to devise means of rendering the imitation of Bank-notes more difficult. Your Committee have been informed, that the plan recommended by the commissioners appointed for inquiring into the mode of preventing the forgery of Bank-notes may be expected to be in full operation in about three months; and they have received from two scientific members of that commission (Sir Joseph Banks and Dr Wollaston) the satisfactory assurance, that their confidence in the increased security which the new form of note will afford, as well by creating fresh obstacles to a successful imitation, as by giving a more obvious facility to the public in detecting any attempt to give currency to forged notes, has been confirmed by the progress of their inquiry and experiment since the date of their report communicated to Parliament.

With respect to the second objection to bullion payments, your Committee remark, that the object of the plan which they recommend is, by securing a control over the quantity of the circulating medium, to regulate the value of the whole, and to maintain paper on a par with gold. While this object is effected, the holder of notes, to whatever amount, has a security for their value, which without this plan he would not pos-

sess} during the interval which must precede the resumption of cash payments.

Should the House determine to act upon the recommendation of the Committee, it will be expedient to continue the act which passed in the present session, restricting the farther issue of gold coin from the Bank. They propose no interference with the laws which regulate the Mint, conceiving it desirable to retain, as a check upon any undue contraction of the issues of the Bank, the power which individuals at present possess of receiving coin from the Mint in exchange for bullion, without loss or deduction, at the rate of $1\text{ } \frac{1}{2} : 17 : 10\frac{1}{2}$ per ounce.

They recommend, not as an appendage to the plan which they have suggested, but as a politic measure under any system of currency, the total repeal of the laws which prohibit the melting or exportation of the coin of the realm. Your Committee conceive it to have been clearly demonstrated by long experience, that they are wholly ineffectual for the object for which they were designed; that they offer temptations to perjury and fraud, and give those who violate the law an unfair advantage over those who respect it.

Your Committee have received an intimation from the Directors of the Bank of Ireland, that they shall be prepared to resume cash payments six months after their resumption by the Bank of England. In making this communication, the Directors contemplated a return to payments in specie; but the Committee have the satisfaction of stating to the House, on the authority of the Governor of the Bank of Ireland, whom they have had an opportunity of personally examining, that there is reason to believe, that no difficulty

would exist, on the part of the Bank of Ireland, in carrying into effect any regulations of the same nature with those which may be adopted with respect to the Bank of England.

Your Committee would here close their Report, if they did not think it necessary shortly to advert to the circulation of Country Banks. The notes of all those establishments are exchangeable for the notes of the Bank of England. As a part of the currency, therefore, they must be affected by any fluctuation in value to which Bank of England notes are now liable; and consequently, they will be alike secured from such fluctuation, by any arrangement which will effectually place and maintain the latter upon a par with a metallic standard of value. Although, from this view of the subject, your Committee are led to the conclusion, that there can be nothing in the nature of the circulation of Country Banks which can form an obstacle to the gradual resumption of cash payments upon the plan which your Committee have suggested, they have made it their endeavour to ascertain the probable amount of that circulation at different periods; though they have to regret that they have not been able to obtain as precise and full information as might be desired.

There are not sufficient data from which to ascertain the exact amount of Country Bank notes at any one time in circulation. Your Committee called for accounts from the Stamp office, of the number of promissory notes stamped in each successive quarter, from the year 1810; and as these accounts show the number of notes stamped in each of the classes into which they are divided, according to their several denominations, if the nominal value of each is assumed, for the sake of calculation, to be the highest which such

note could bear according to the stamp affixed, the total amount stamped in each year would be as follows:—

1814	L. 10,355,841
1815	8,204,968
1816	7,839,924
1817	9,075,958
1818	12,316,988

If these notes on an average circulate for three years, the highest aggregate amount to which they can have reached is L. 29,232,870.

Your Committee are led to conclude, from the information of Mr Lloyd, that the whole amount of notes stamped, which still remain in such a state as to be circulated, can never have been at once in circulation. He says, "A banker may have L. 50,000 notes lying by him; his having paid the duty, and having the notes ready, by no means prove that they are in circulation. Sometimes there may be a very large amount locked up by him; at other times they may be almost all in circulation. In time of alarm he takes care to have them as much at home as possible; in time of prosperity and general confidence he has no hesitation in issuing them on satisfactory security."

Mr Lloyd expressed an opinion, that the issue of paper by the country Banks might be from forty to fifty millions; but your Committee are rather led to infer, from the general tenor of the information before them, that the amount of this branch of the paper circulation throughout Great Britain has never exceeded from twenty to twenty-five millions.

Whatever may have been the amount, it appears undoubtedly to have been liable to great fluctuations, as may indeed be inferred from the account of the stamps before alluded to, but with more certainty from accounts furnished by the three char-

tered Banks of Scotland, representing the proportions which the quarterly averages bear to each other, of the respective circulation of each Bank, at three corresponding periods; the scales by which the circulation of these Banks is thus shown establish

the degree of the proportionate variations in each respectively; but it is to be observed, that those scales, being constructed upon different data, afford no means of comparing with one another the actual amount of their respective issues.

	Last Quar. 1813.	Third Quar. 1816.	Last Quar. 1818.
British Linen Company.....	1,400	910	1,265
Bank of Scotland.....	8,773	6,728	8,179
Royal Bank.....	732	267	1,151

As a very large part of the currency of Scotland is furnished by those Banks, it must be inferred from the preceding scales, that whatever was the amount at the close of 1813, not less than one-third had been withdrawn from circulation in 1816, since which period an equal amount has been re-issued.

A fluctuation, corresponding with this in point of time, and at least equal in degree, appears to have taken place in the paper issued by the Country Banks in England. The number of these establishments licensed in 1814 was 940, in 1817 was 752.

Mr Lloyd stated, that the circulation of the Country Banks was at its highest in 1813 and 1814, but was considerably reduced in 1816, and the beginning of 1817; and being asked as to the amount outstanding at the latter period, when compared with the former, he answered, "I can hardly say; I should think it was reduced nearly one-half."

Your Committee were furnished by Mr Stuckey with the following scale of the circulation of a considerable Country Bank, for the last four years:—

March.....	1816.....	10
—	1817.....	12
—	1818.....	16
—	1819.....	17½

and further information on the same subject will be found in the evidence

of Mr John Smith, a member of the house, Mr Samuel Gurney, and Mr Gilchrist.

Whatever may have been the diminution in the amount of the circulation of Country Banks in 1816 and 1817, it was not in any degree caused by a diminution of the issues of the Bank of England. The circulation of country paper is liable to be affected by want of confidence, generally brought on by extensive failures in some of those establishments; and the result of which is, that other Country Banks, however solvent, participate more or less in the general discredit, and are obliged to restrict their issues from a regard to their own security. In the opinion of Mr Tooke, "a like effect is sometimes produced, and in a much greater degree, from the discredit of their customers, to whom they are in the habit of advancing money; most of their customers being holders of articles which are liable to be affected by a general depression of price."

Although there may be reason to infer from the opinion of the witnesses most conversant with the management of Country Banks, and to whose evidence your Committee beg leave to refer, that a reduction in the amount of the notes issued by the Bank of England would speedily and necessarily be followed by a proportionate reduction of the Country Bank paper, still it must be obvious,

that, independently of that cause, the latter is liable to a sudden and highly inconvenient contraction, under such circumstances of distrust and difficulty as occurred in 1816. The effects of this contraction, unless obviated by a corresponding increase in the issues of the Bank of England, the credit of which is fortunately unassailable by the influence of similar circumstances, must have a tendency, by diminishing the amount of the paper currency, to raise the value of the whole.

This, in the opinion of your Committee, was one of the effects produced by the rapid contraction of our currency in 1816 and 1817; and to it may be ascribed, in part, the fall in the price of gold, and the favourable state of the foreign exchanges during that interval.

Such contraction is an evil to which the system of Country Banks, resting upon individual credit, may be occasionally liable; but your Committee are inclined to hope that it will not be likely either to prevail to the same extent, or to endure for so long a period, when the fluctuations to which an inconvertible paper currency is exposed shall be checked by the operation of the plan which they recommend for the gradual resumption of cash payments.

6th May 1819.

Whether it may be practicable further to provide against inconvenience to the public, and the loss to individuals, which arise from the occasional insolvency of Country Banks, and to make such provision, without an interference with the rights of property, and the transactions of the community founded on commercial credit, are questions of great difficulty, respecting which your Committee could not, without further evidence and considerable delay, have enabled themselves to submit an opinion to the House.

Your Committee have forbore from entering into any reasoning upon the effect produced upon the value of our currency, by variations in the numerical amount of the notes issued by the Bank of England. So many circumstances contribute to affect that value, such, for instance, as the varying state of commercial credit and confidence—the fluctuations in the amount of Country Bank paper—the different degrees of rapidity with which the same amount of currency circulates at different periods—that your Committee are of opinion, that no satisfactory conclusions can be drawn from a mere reference to the numerical amount of the issues of the Bank of England outstanding at any given time.

REPORT ON THE CRIMINAL LAWS.

The Select Committee appointed to consider of so much of the Criminal Laws as relates to Capital Punishment in felonies, and to report their observations and opinion of the same, from time to time, to the House ; and to whom the several petitions on the subject were referred ; have, pursuant to the orders of the House, considered the matters to them referred, and have agreed upon the following Report :—

Your Committee, in execution of the trust delegated to them by the House, have endeavoured strictly to confine themselves within the limits prescribed to them by the terms of their appointment. In some cases they have laid down restrictions for themselves, which the letter of the resolution of the House did not impose. They have abstained from all consideration of those capital felonies which may be said to be of a political nature, being directed against the authority of Government and the general peace of society. To the nature and efficacy of the secondary punishments of transportation and imprisonment, they have directed no part of their inquiries ; because another committee had been appointed to investigate them, and because no part of the facts or arguments to be stated in this report will be found to depend, either on the present state of these secondary punishments, or on the degree of improvement of which they may be found capable. With many extensive and important parts of the criminal law—such, for example, as that which regulates the trial of offenders—they are entirely satisfied ; and they should not have suggested any changes in these departments, even if they had been within the appointed province of this Committee.

On other parts of the subject—as, for example, in the definition and arrangement of crimes—they have recommended a consolidation of the laws respecting only one class of offences, and have presumed only to express a general opinion of the utility of the like consolidation in some other cases. They wish expressly to disclaim all doubt of the right of the Legislature to inflict the punishment of death, wherever that punishment, and that alone, seems capable of protecting the community from enormous and atrocious crimes. The object of the Committee has been to ascertain, as far as the nature of the case admitted by evidence, whether, in the present state of the sentiments of the people of England, capital punishment, in most cases of offences unattended with violence, be a necessary or even the most effectual security against the prevalence of crimes.

I. In the first place, they endeavoured to collect official accounts of the state of crimes and the administration of criminal law throughout the kingdom, from the earliest period to which authentic information reaches. The annual returns of commitments, convictions, and executions, first procured by addresses from this House, and since required by statute, go no farther back than

1805. Accounts, though not perfectly satisfactory, of the same particulars from London and Middlesex, from 1749 to the present time, have been already laid before Parliament, which, with an official summary of the returns of England and Wales from 1805, will be inserted in the appendix of this report.

A full and authentic account of convictions and executions for London and Middlesex, from 1699 to 1804, obtained for the latter part of that time from the Clerk of Arraigns at the Old Bailey, and for the former part from the officers of the city of London, is inserted in the appendix. The Corporation of the city of London have shown, on this occasion, a liberal and public spirit worthy of acknowledgment; and it is to be hoped that they will continue their researches as far back as their records extend, and thus complete returns probably unparalleled in the history of criminal law.

The Deputy Clerk of Assize for the Home Circuit has laid before your Committee a return of commitments, convictions, and executions on that circuit, which comprehends the counties of Herts, Essex, Kent, Sussex, and Surrey, from 1689 to 1718, from 1755 to 1784, and from 1784 to 1814. The returns of the intermediate period from 1718 to 1755, he will doubtless furnish very soon. From this important return it appears, that, for the first thirty years which followed the revolution, the average proportion of convictions to executions was 38 to 20; that from 1755 to 1784 it was 46 to 13; and that from 1784 to 1814, it was 74 to 19. It is worthy of remark, that the whole number of convictions for murder on the home circuit, in the first period, was 123; that the executions for the same period were 87; that, in the second, the convictions

for the same offence were 67, and the executions 57; and that in the third, the convictions were 54, and the executions 44. If the increase of the population during a prosperous period of 130 years be taken into the account, and if we bear in mind that within that time a considerable city has grown up on the southern bank of the Thames, we shall be disposed to consider it as no exaggeration to affirm, that in this district (not one of the most favourably situated in this respect), murder has abated in the remarkable proportion of 3, if not 4, to 1.

In the thirty years from 1755 to 1784, the whole convictions for murder in London and Middlesex were 71; and in the thirty years from 1784 to 1814 they were 66. In the years 1815, 1816, and 1817, the whole convictions for murder in London were nine, while in the three preceding years they were 14. Most of the other returns relate to too short a period, or too narrow a district, to afford materials for safe conclusion, with respect to the comparative frequency of crimes at different periods.

In general, however, it appears that murders and other crimes of violence and cruelty have either diminished or not increased; and that the deplorable increase of criminals is not of such a nature as to indicate any diminution in the humanity of the people. The practice of immediately publishing the circumstances of every atrocious crime, and of circulating in various forms an account of every stage of the proceedings which relate to it, is far more prevalent in England than in any other country, and in our times than in any former age. It is on the whole of great utility, not only as a control on courts of judicature, but also as a means of rendering it ex-

tremely difficult for odious criminals to escape. In this country no atrocious crimes remain secret. With these advantages, however, it cannot be denied, that by publishing the circumstances of all crimes, our modern practice tends to make our age and nation appear more criminal than, in comparison with others, it really is.

II. In considering the subject of our penal laws, your Committee will first lay before the House their observations on that part which is the least likely to give rise to difference of opinion. That many statutes denouncing capital punishments might be safely and wisely repealed, has long been a prevalent opinion. It is sanctioned by the authority of two successive Committees of this House, composed of the most eminent men of their age, and in some measure by the authority of the House itself, which passed several bills on the recommendation of their Committees. As a general position, the propriety of repealing such statutes seems scarcely to have been disputed. Respecting the number and choice of them, different sentiments must always be expected. Your Committee have not attempted a complete enumeration, which much time and considerable deliberation would be required to accomplish. They selected some capital felonies, for the continuance of which they cannot anticipate any serious argument, and which seem to them to serve no purpose but that of encumbering and discrediting the statute-book. Various considerations have combined to guide their choice; sometimes mere levity and hurry have raised an insignificant offence, or an almost indifferent act, into a capital crime; in other acts, the evil has been manifestly and indeed avowedly temporary, though it unfortunately produ-

ced a permanent law. Where the punishment of death was evidently unnecessary at the time of its original establishment, and where, if it was originally justified by a temporary danger, or excused by a temporary fear, it has long been acknowledged to be altogether disproportioned to the offence, your Committee conceive themselves warranted in confidently recommending its abolition. But they have also adverted to another consideration: If, in addition to the intrinsic evidence of unwarrantable severity in a law, which arises from the comparison of the act forbidden with the punishment threatened, they find also that the law has scarcely ever been executed since its first enactment; or if it has fallen into disuse as the nation became more humane and generally enlightened, your Committee consider themselves as authorised to recommend its repeal, by long experience, and by the deliberate judgment of the whole nation. In the application of this latter principle, they have been materially aided by the documents which have been mentioned. Where a penal law has not been carried into effect in Middlesex for more than a century, in the counties round London for sixty years, and in the extensive district which forms the Western Circuit for fifty, it may be safely concluded that the general opinion has pronounced it to be unfit or unnecessary to continue in force. The Committee are aware that there are cases in which it may be said, that the dread of the punishment has prevented the perpetration of the crime, and where, therefore, the law appears to be inefficacious only because it has completely accomplished its purpose. Whatever speciousness may belong to this reasoning in the case of conspicuous crimes, and punishments

generally present to the minds of men, it never can be plausibly applied to rare and obscure offences, to penal enactments, of which it requires a more than ordinary degree of professional accuracy habitually to recollect the existence. Your Committee have endeavoured to avoid all cases which seem to them to be on this ground disputable. From general caution, and a desire to avoid even the appearance of precipitation, they have postponed cases, which seem to them liable to as little doubt as some of those to which they are about to advert.

It has sometimes been said, that the abolition of penal laws which have fallen into disuse is of little advantage to the community. Your Committee consider this opinion as an error. They forbear to enlarge on the striking remark of Lord Bacon, that all such laws weaken and disarm the other parts of the criminal system. The frequent occurrence of the unexecuted threat of death in a criminal code tends to rob that punishment of all its terrors, and to enervate the general authority of the Government and the laws. The multiplication of this threat in the laws of England has brought on them, and on the nation, a character of harshness and cruelty, which evidence of a mild administration of them will not entirely remove. Repeal silences the objection. Reasoning, founded on lenient exercise of authority, whatever its force may be, is not calculated to efface a general and deep impression. The removal of disused laws is a preliminary operation, which greatly facilitates a just estimate, and (where it is necessary) an effectual reform of those laws which are to remain in activity. Were capital punishments reduced to the comparatively small number of cases in which they are

often inflicted, it would become a much simpler operation to form a right judgment of their propriety or necessity. Another consideration of still greater moment presents itself on this part of the subject. Penal laws are sometimes called into activity after long disuse, and in cases where their very existence may be unknown to the best-informed part of the community: malicious prosecutors set them in motion; a mistaken administration of the law may apply them to purposes for which they were not intended, and which they are calculated more to defeat than to promote. Such seems to have been the case of the person who, in the year 1814, at the Assizes for Essex, was capitally convicted of the offence of cutting down trees, and who, in spite of earnest applications for mercy from the prosecutor, the committing magistrate, and the whole neighbourhood, was executed, apparently because he was believed engaged in other offences, for none of which, however, he had been convicted or tried.

This case is not quoted as furnishing any charge against the humanity of the Judge or of the advisers of the Crown: they certainly acted according to the dictates of their judgment; but it is a case where the effect of punishment is sufficiently shown by the evidence to be the reverse of exemplary; and it is hard to say whether the general disuse of the capital punishment in this offence, or the single instance in which it has been carried into effect, suggests the strongest reasons for its abolition.

The statutes creating capital offences, which the Committee have considered under this head, are reducible to two classes: the first relate to acts either so nearly indifferent as to require no penalty, or if

injurious, not of such a magnitude as that they may not safely be left punishable as misdemeanours at common law. In these your Committee propose the simple repeal; they are as follow :—

1. 1 and 2 Phil. and Mary, c. 4. Egyptians remaining within the kingdom one month.
2. 18 Charles II. c. 3. Notorious thieves in Cumberland and Northumberland.
3. 9 Geo. I. c. 22. Being armed and disguised in any forest, park, &c.
4. 9 Geo. I. c. 22. Being armed and disguised in any warren.
5. ——— in any high road, open heath, common, or down.
6. ——— Unlawfully hunting, killing, or stealing deer,
7. ——— Robbing warrens, &c.
8. ——— Stealing or taking any fish out of any river, or pond, &c.
9. ——— Hunting in his Majesty's forests or chases.
10. ——— Breaking down the head or mound of a fish-pond.
11. 9 Geo. I. c. 28. Being disguised within the Mint.
12. 12 Geo. II. c. 29. Injuring of Westminster Bridge, and other bridges by other Acts.

The second class consists of those offences which, though in the opinion of your Committee never fit to be punished with death, are yet so malignant and dangerous as to require the highest punishments, except death, which are known to our laws. These the Committee would make punishable, either by transportation or imprisonment with hard labour, allowing considerable scope to the discretion of the Judges respecting the term for which either punishment is to endure :—

1. 31 Eliz. c. 9. Taking away any maid, widow, or wife, &c.
2. 21 Jac. I. c. 26. Acknowledging or procuring any fine, recovery, &c.
3. 4 Geo. I. cap. 2. s. 4. Helping to the recovery of stolen goods.
4. 9 Geo. I. c. 22. Maliciously killing or wounding cattle.
5. 9 Geo. I. c. 22. Cutting down or destroying trees growing, &c.
6. 5 Geo. II. c. 30. Bankrupts not surrendering, &c.
7. ——— Concealing or embezzling.
8. 6 Geo. II. c. 37. Cutting down the bank of any river.
9. 8 Geo. II. c. 20. Destroying any fence, lock, sluice, &c.
10. 26 Geo. II. c. 23. Making a false entry in a marriage register, &c., five felonies.
11. 27 Geo. II. c. 15. Sending threatening letters.
12. 27 Geo. II. c. 19. Destroying bank, &c. Bedford Level.
13. 3 Geo. III. c. 16. Personating out-pensioners of Greenwich Hospital.
14. 22 Geo. III. c. 40. Maliciously cutting serges.
15. 24 Geo. III. c. 47. Harbouring offenders against the (Revenue) Act, when returned from transportation.

It does not seem necessary to make any observations in this place on the punishments of transportation and imprisonment, which your Committee have proposed to substitute for that of death in the second of the two classes above mentioned. In their present imperfect state they are sufficient for such offences; and in the more improved condition in which the Committee trust that all the prisons of the kingdom will soon

be placed, imprisonment may be hoped to be of such a nature as to answer every purpose of terror and reformation.

III. In the more disputable questions, which relate to offences of more frequent occurrence and more extensive mischief, your Committee will limit their present practical conclusions to those cases to which the evidence before them most distinctly refers. They cannot entertain any doubt that the general principles which have been so strikingly verified and corroborated in some particular cases by that evidence, apply with equal force to many others, relating to which they have not had sufficient time to collect the testimony of witnesses. That some offences which the law treats as arson, and more which it punishes as burglary, are not properly classed with these crimes, and ought not to be punished with death, would probably be rendered apparent by a legislative consolidation of the laws in being respecting arson and burglary. The same result, though in a less degree, might be expected from a similar operation in other important heads of criminal law.

On the three capital felonies—of privately stealing in a shop to the amount of 5s., of privately stealing in a dwelling-house to the amount of 40s., and of privately stealing from vessels in a navigable river to the amount of 40s.—the House of Commons have pronounced their opinion, by passing bills for reducing the punishment to transportation or imprisonment.

In proposing to revive those bills, your Committee feel a singular satisfaction that they are enabled to present to the House so considerable a body of direct evidence in support of opinions which had hitherto chiefly rested on general reasoning,

and were often alleged by their opponents to be contradicted by experience. Numerous and respectable witnesses have borne testimony, for themselves and for the classes whom they represent, that a great reluctance prevails to prosecute, to give evidence, and to convict, in the cases of the three last-mentioned offences; and that this reluctance has had the effect of producing impunity to such a degree, that it may be considered as among the temptations to the commission of crimes. Your Committee beg leave to direct the attention of the house to the evidence of Sir Archibald Macdonald on this and other parts of the general subject, in which that venerable person has stated the result of many years' experience in the administration of criminal law. They forbore to desire the opinion of the present Judges, out of consideration to the station and duties of these respectable magistrates. It appeared unbecoming and inconvenient, that those whose office it is to execute the criminal law should be called on to give an opinion whether it ought to be altered. As the Judges could not with propriety censure what they might soon be obliged to enforce, they could scarcely be considered as at liberty to deliver an unbiassed opinion. Of the Judges who have retired from the bench, Sir William Grant and Sir Vicary Gibbs, found it inconvenient to attend when they were requested; and the Committee dispersed with their attendance, having reason to believe that both adhere to the opinions which they formerly maintained in Parliament on opposite sides of this question. Lord Erskine was absent from London when it was proposed to examine him; but the Committee are well assured that his opinions entirely concur with their own. Sir James

Mansfield and Sir Allan Chambre appear to have formed no opinion, and the Committee, at their request, dispensed with their attendance.

But highly as the Committee esteem and respect the Judges, it is not from them that the most accurate and satisfactory evidence of the effect of the penal law can reasonably be expected. They only see the exterior of criminal proceedings after they are brought into a court of justice. Of the cases which never appear there, and of the causes which prevent their appearance, they can know nothing. Of the motives which influence the testimony of witnesses, they can form but a hasty and inadequate estimate. Even in the grounds of verdicts, they may often be deceived. From any opportunity of observing the influence of punishment upon those classes of men among whom malefactors are most commonly found, the Judges are, by their stations, and duties, placed at a great distance.

Your Committee have sought for evidence on these subjects from those classes of men who are sufferers from larcenies, who must be prosecutors where those larcenies are brought to trial, who are the witnesses by whom such charges must be substantiated, and who are the jurors by whose verdicts only effect can be given to the laws. On this class of persons where the crimes are most frequent, and where long and extensive experience allows little room for error and none for misrepresentation, or, in other words, on the traders of the cities of London and Westminster, your Committee have principally relied for information. To the clerks of the offices of Magistrates, and to the officers of criminal courts, who receive informations and prepare indictments, to experienced Magistrates themselves, and to the gaolers and

others, who, in the performance of their duties, have constant opportunities of observing the feelings of offenders, the Committee have also directed their inquiries: their testimony has been perfectly uniform.

Mr Shelton, who has been near forty years Clerk of Arraignment at the Old Bailey, states, that juries are anxious to reduce the value of property below its real amount in those larcenies where the capital punishment depends on value; that they are desirous of omitting those circumstances on which the capital punishment depends in constructive burglaries; and that a reluctance to convict is perceptible in forgery.

Sir Archibald Macdonald bears testimony to the reluctance of prosecutors, witnesses, and juries, in forgeries, in shop-lifting, and offences of a like nature. He believes that the chances of escape are greatly increased by the severity of the punishments. "Against treason, murder, arson, rape, and crimes against the dwelling-house or person, and some others," he thinks "the punishment of death should be directed."

T. W. Carr, Esq. Solicitor of Excise, a very intelligent public officer, gave an important testimony, directly applicable indeed only to offences against the revenue, but throwing great light on the general tendency of severity in penal laws to defeat its own purpose. From his extensive experience, it appears, that severe punishment has rendered the law on that subject inefficacious. Prosecutions and convictions were easy when breaches of the law were subject to moderate pecuniary penalties: even a great pecuniary penalty has been found so favourable to impunity, that fraudulent traders prefer it to a moderate penalty. The act of counterfeiting a stamp in certain cases, within the laws of excise, was, before the

year 1806, subject only to a penalty of L.500; but in that year it was made a transportable offence, of which the consequence was, that the convictions, which from 1794 to 1806 had been 19 out of 21 prosecutions, were reduced in the succeeding years, from 1806 to 1818, to 3 out of 9 prosecutions.

Mr Newman, Solicitor for the city of London, speaking from thirty years' experience of the course of criminal prosecutions in that city, informed the Committee, that he had frequently observed a reluctance to prosecute and convict in capital offences not directed against the lives, persons, or dwellings of men.

The Reverend Mr Cotton, Ordinary of Newgate, has described, in strong terms, the repugnance of the public to capital execution in offences unattended with violence, and the acquiescence even of the most depraved classes in their infliction in atrocious crimes.

Mr Colquhoun, for twenty-seven years a police magistrate in this capital, and well known by his publications on these subjects, declares his firm conviction that capital punishment in the minor offences operates powerfully in preventing convictions; and that there is a great reluctance to prosecute in forgery, shop-lifting, larceny in the dwelling-house, burglary without actual entry, horse-stealing, sheep-stealing, cattle-stealing, frame-breaking, housebreaking in the day time, robbery without acts of violence, and other minor offences, now subject to the punishment of death. According to the testimony of this intelligent observer, the public mind revolts at capital punishment in cases not atrocious.

Mr Newman, late keeper of Newgate, and connected with the administration of justice in London for

forty years, gave testimony to the same effect.

Mr Basil Montagu stated a fact of a most striking nature, immediately applicable only to one offence, but showing those dispositions in the minds of the public which must produce similar effects wherever the general feeling is at variance with the provisions of criminal law. From the year 1732, when embezzlement of property by a bankrupt was made a capital offence, there have been probably 10,000 bankruptcies; in that period there have not been more than 10 prosecutions, and 3 executions for the capital offence, and yet fraudulent bankruptcies have become so common as almost to be supposed to have lost the nature of crime.

Mr Stephen Curtis, a leather-factor in London, stated several cases of forgery, fraudulent bankruptcy, and larceny, where the persons injured declined to prosecute, from apprehensions that the offenders might suffer death: this is the general opinion of the traders of London, though in the opinion of this witness, there is scarcely a shop-keeper from Cornhill to Charing-cross who does not suffer from shoplifting.

Mr Jacob, who has lately travelled through England on business, and Mr Jennings, for some time a shopkeeper near Bridgewater, gave some evidence tending to show that the general sentiments of traders in the country were, on capital punishments, the same which the Committee had such ample reason to consider as the prevalent opinion of the same valuable class of persons in the metropolis. Mr Jennings observed, that these opinions prevailed among farmers as well as shopkeepers, and that the capital punishment prevented prosecutions for horse, cattle, and sheep stealing, as well as for pri-

vately stealing in shops and dwelling-houses, and in constructive burglaries.

Mr Joseph Harmer, who has practised for twenty years as a solicitor at the Old Bailey, gave a testimony which the Committee cannot but recommend to the most serious consideration of the House. In the course of his practice he had confidential communication with at least 2,000 capital convicts, and may be presumed to have as good means of understanding their temptations, their fears, and their hopes, as any individual in the kingdom. He is now much employed by prosecutors, and from intercourse with them, as well as by former observation of their conduct, has the amplest means of knowing the influence which capital punishment has on their disposition, to aid and enforce the execution of the laws. The Committee must also add, that he appeared to them a man of sagacity, as well as of a conscientious and humane character, whose opinions on this subject are entitled to much consideration. Every part of his evidence is so important, that they find it difficult to select particular facts as worthy of greater notice. He informed the committee, that he knew many instances of persons injured by larcenies and forgeries, declining to prosecute on account of the punishment; that the same consideration strongly disinclines many persons to serve as jurors at the Old Bailey, and induces them to bribe the summoning officer not to summon them; and that he has seen juries, influenced, as he believes, by the severity of the punishment in numerous capital cases, but especially in forgeries, give verdicts of acquittal where the proofs of the prisoner's guilt were perfectly clear. Old professed thieves, aware of the compassionate feelings of ju-

ries, are, he says, desirous of being prosecuted on capital indictments rather than otherwise. "The present numerous enactments to take away life appear to me wholly ineffectual; but there are punishments which I am convinced a thief would dread, namely, a course of discipline totally reversing his former habits; idleness is one of the prominent characteristics of a professed thief—put him to labour; debauchery is another quality; abstinence is its opposite—apply it; company they indulge in, they ought therefore to experience solitude: they are accustomed to uncontrolled liberty of action—I would impose restraint and decorum. Were these my suggestions adopted, I have no doubt we should find a considerable reduction in the number of offenders." He states, that "he has often seen juries reduce the value of things stolen, contrary to clear proof. There is no reluctance to prosecute or convict in his opinion in murder, arson, burglary in its original sense of nocturnal housebreaking, highway robbery, with violence and murderous attacks on the person. The thieves observe the sympathy of the public; it seems to console them, and they appear less concerned than those who witness their sentence. Certainly the general feeling does not go along with the infliction of death in the case of crimes unaccompanied by violence; there are very few advocates for the generality of the present punishments; these punishments rather tend to excite the public feeling against the criminal laws."

IV. Much of the above evidence sufficiently establishes the general disinclination of traders to prosecute for forgeries on themselves, or to furnish the Bank of England with the means of conviction, in cases where forged notes are uttered. There is

no offence in which the infliction of death seems more repugnant to the strong and general and declared sense of the public than forgery; there is no other in which there appears to prevail a greater compassion for the offender, and more horror at capital executions.

In addition to the general evidence above stated, to notorious facts, and to obvious conclusions of reason, your Committee have to state the testimony of some witnesses of peculiar weight, on the subject of forgery.

Mr John Smith, a member of the House, and banker in London, stated, that he knew instances where prosecutions for private forgeries were relinquished on account of the punishment, and had no doubt that if the punishment was less, prosecutions would have taken place.

Mr Barnett, also a member of the House, and a banker in London, is of opinion, that capital punishment goes extremely to discourage prosecutions in forgery; he knows many instances of this, scarcely a year passed without something of the kind; he is of opinion that the majority of private forgeries pass unpunished, on account of the severity of the punishment. The punishment of death tends, in his opinion, to prevent prosecution, and to increase the crime.

Mr J. F. Forster, a Russia merchant, and Mr E. Forster, a banker in London, gave some remarkable examples of the repugnance to prosecute in forgery. In one, by the connivance of the prosecutor, a person who was introduced to the magistrate as a friend of the prisoner's desired to see the forged check, snatched it away, and threw it into the fire—a mode of avoiding prosecution, which, from other parts of the evidence, does not seem to be uncommon. In another, a forgery

to the large amount of fifteen hundred pounds, where the forger and the utterer were both in custody, the prosecution was relinquished merely because the offence was capital. Had punishment been ever so severe, short of death, no endeavour would have been made to save the offenders. In the opinion of Mr E. Forster, more than one half of the private forgeries which are committed, escape prosecution on account of the severity of the law: he added an example of the like sentiments, in the offence of stealing in a dwelling-house, which the Committee consider as remarkable, because it occurred in the officers of a public institution, who usually allow themselves to be less influenced by their feelings than individuals: a committee of a public institution, whose house had been robbed, would not engage in the prosecution unless the goods were valued under forty shillings. In this committee were persons of respectable condition in almost all the occupations which are most liable to loss by forgeries and thefts.

Mr Fry, a banker in London, mentioned four cases of prosecution for forgery which were prevented by the capital punishment, in one of which the party injured swallowed the forged note, that he might not be compelled to prosecute. Mr Fry explicitly stated, what is indeed implied in the evidence of the preceding witnesses, that, as a banker, he should consider his property as much more secure if the punishment of forgery were mitigated to such a degree that the law against that offence would be generally enforced; in nine cases out of ten of forgery which he has known, there has been an indisposition to prosecute.

Dr Lushington declared that he knew, that in the minds of many persons there is a strong indisposition

to prosecute, on account of the severity of the punishment; and that he had heard from the mouths of prosecutors themselves, who have prosecuted for capital offences, where there was a danger of the persons being executed, the greatest regret that they had so done; and many times they have expressed a wish, that had they been able to have foreseen the consequences, they would never have resorted to the laws of their country. He also related the case of a servant who committed a robbery upon him: the man was apprehended, and his guilt was clear; but Dr Lushington "refused to prosecute, for no other reason than that he could not induce himself to run the risk of taking away the life of a man."

Mr Charles Attwood, a manufacturer of window-glass at Newcastle, and a seller of window-glass in London, had observed a very considerable indisposition to prosecute in capital cases among the traders of London generally: and conceives that this reluctance would abate, if the punishment were mitigated to something less than death.

Mr Isaac Lyon Goldsmid, a broker to the bank, and to merchants, whose experience in the transactions of bankers is very extensive, entertains no doubt, that the punishment of death has a tendency generally to prevent prosecution, and thinks that evidence to that effect might be discovered in hundreds of instances. A servant of his own committed a very aggravated forgery upon him. She confessed her guilt to the magistrates before whom she was taken; but it appearing that if she was prosecuted at all, it must be capitally, Mr Goldsmid declined all further proceeding, and she was liberated. In the next family in which she became a servant, she committed ano-

ther capital felony; and again the severity of the law appears to have been her protection.

Mr Daniel Gurney, a banker in the county of Norfolk, declared his own reluctance, and had observed a similar reluctance among many bankers and traders in the country to prosecute in cases of forgery, in consequence of the severity of the law. The dread of being instrumental in inflicting death had, with himself, and to his knowledge with others, operated as a protection to the criminal. In illustration of his sentiments, he mentioned the case of a man who was in the habit of committing forgery, "and was not prosecuted in consequence of the capital punishment." Mr Gurney considers that "his property as a banker would be more secure, if the punishment were not so severe, because there would be more inclination to prosecute." He also suggested, that if in every town of sufficient importance, an agent was invested with full authority from the Bank of England, to stamp the forged notes that were presented to him, it would be a considerable check to their circulation. In this opinion Mr William Birkbeck, a banker in the West Riding of York, fully concurred; conceiving that if an agent of this kind were authorised to put a mark upon such notes, indicating that they were forged, it would probably throw them back on the original issuer so early, as to show him the futility of attempting to issue others of a similar description.

Your Committee cannot but consider the suggestion made by these respectable gentlemen as well meriting attention.

After due consideration of this important question, your Committee are of opinion, that forgeries are a

class of offences respecting which it is expedient to bring together and methodize the laws now in being. That in the present state of public feeling, a reduction of the punishment, in most cases of that crime, is become necessary to the execution of the laws, and consequently to the security of property and the protection of commerce; and that the means adopted by the Legislature to return to our ancient standard of value render the reformation of the criminal laws respecting forgeries a matter of very considerable urgency. Private forgeries will, in the opinion of the Committee, be sufficiently and most effectually repressed by the punishments of transportation and imprisonment. As long as the smaller notes of the Bank of England shall continue to constitute the principal part of the circulating medium of the kingdom, it may be reasonable to place them on the same footing with the metallic currency; your Committee therefore propose that the forgery of these notes may for the present remain a capital offence; that the uttering of forged bank notes shall, for the first offence, be transportation or imprisonment; but that, on the second conviction, the offender shall be deemed to be a common utterer of forged notes, and shall, if the prosecutor shall so desire, be indicted as such, which will render him liable to capital punishment. Respecting the offence of knowingly possessing forged notes, your Committee have no alteration to suggest, but what they conceive would be fit to all transportable offences, that a discretion should be vested in the Judges to substitute imprisonment with hard labour for transportation, where such a substitution shall seem to them expedient. As the discovery of the actual forgers of bank

notes has been found by experience to be in the highest degree difficult, your Committee consider the suggestion of the commissioners for inquiring into the means of preventing forgeries, of offering an unusually large reward for the detection of forgeries, as worthy of serious consideration: to such rewards in general, the Committee feel an insuperable objection. In the case of forgery there are circumstances which considerably weaken the objection. No jury could convict in such a case on the mere evidence of an informer, unsupported by the discovery of those materials, implements, and establishments necessary for carrying on the criminal system. The reward would therefore have little tendency to endanger innocent men by false accusation. The evidence on which the conviction would rest must be of a sort which can hardly deceive. The informer would only furnish the key, by which the means of evidence would be found; the reward would rather be for detection than for conviction.

There are several points on which your Committee are desirous of offering some observation to the house: two of these are of great importance: the first relates to the best means of enabling judges to pronounce sentence of death only in those cases where they think it probable that death will be inflicted; the second, whether the establishment of unexpensive and accessible jurisdictions, for the trial of small offences, with the help of juries, but with simple forms of proceeding and corrective punishments, might not be a means of checking the first steps towards criminality. These and other parts of this great subject, the Committee hope that the house will allow them another opportunity to consider, by permitting them, in the next session,

to resume, and, if possible, to complete their inquiries.

The Committee consider themselves as bound to express their gratitude to Mr Evans, the learned and most meritorious Vice-Chancellor of the County Palatine of Lancaster; to Mr Long, a respectable barrister; and to Mr Jameson, a young gentleman employed in the study of the law, for the liberal and useful aid which they have afforded during the

whole course of the investigation. Your Committee will conclude by informing the house, that in pursuance of the various opinions and recommendations which they have stated above, they have instructed their chairman, early in the next session of Parliament, to move for leave to bring in bills, for the objects and purposes of which this report is intended to explain the nature, and to prove the fitness.

REPORT

OF THE COMMISSIONERS APPOINTED FOR INQUIRING INTO THE MODE OF PREVENTING THE FORGERY OF BANK-NOTES,

To his Royal Highness George, Prince of Wales, Regent of the United Kingdom of Great Britain and Ireland.

In obedience to the directions contained in his Majesty's Commission, we proceeded, in the latter end of the month of July last, to consider the important subject referred to us.

Our attention was first directed to the proposals for improvement in the form of the notes issued by the Bank of England; and it being known that many plans had been submitted to that body which they had not thought it expedient to adopt, we felt it proper, in the first instance, to obtain correct information upon this point; and we, therefore, requested the Court of Directors to furnish us with an account of such plans. They did accordingly furnish us, without delay, with a detailed account of 108 projects, regu-

larly classed and arranged; together with the correspondence respecting them, a statement of the trials to which they had been subjected, and specimens of the proposed originals, and of the imitations executed by order of the Bank. They also laid before us about seventy varieties of paper made at their manufactory in experiments for its improvement, in which almost every alteration recommended for adoption had been tried, and, in some instances, anticipated by their own manufacturer.

We have also received and answered communications from about seventy individuals, which have been arranged and considered; and in some cases, a personal interview has been requested and held. Several of these persons had been previously in communication with the Bank; and we find, that in the instance of some projects of superior promise,

the Directors had furnished to the proposers the pecuniary means of carrying their ideas into effect. We have likewise sought and obtained information as to the state of paper currency in other countries; but this has proved of very little importance, with reference to the object of our present inquiry. From America, which affords the closest parallel to the state of England in this particular, no official return has yet been received; but we have reason to think, that in several parts of the United States, the crime of forgery is prevalent, and that great efforts are now making to give to the notes such a character as may baffle the skill of the American forger. Specimens of these improved notes have been communicated to us by the agent of the American patentee, and have received our particular attention with regard to the practicability of adopting the invention, in whole or in part, so as to present a barrier to the art and skill of the forger in this country.

Upon the general subject of the extent of forgery, we do not think it necessary to recapitulate statements which are already before Parliament and the public. It appeared to us, however, proper to obtain more particular information as to the course which has been hitherto pursued by the Bank, both with respect to the prevention, and with respect to the detection and punishment of the crime. Upon the former of these points, we have received from the Directors, in addition to the account before alluded to, clear and circumstantial details; and it is but common justice to those gentlemen to state, that in every instance our inquiries have been met by them in the most prompt and satisfactory manner, and every sort of useful information readily furnished. We

feel it also proper to add our opinion, formed after an examination of all the projects which have been formerly submitted to the Bank for a change in the form of their notes, that no one of these could have been adopted with such a prospect of solid advantage to the public, as would compensate the evils necessarily attendant upon a change.

The invention to which we refer in the latter part of this report, and on which our attention is now principally engaged, was laid before the Directors a short time previous to the issuing of his Majesty's commission, and so far entertained by them, that they advanced a large sum of money to the author. The chief merit of this invention consisting in the extreme accuracy of the machinery requisite, time and application are necessary to bring it to such a state of perfection as appears likely to answer the purpose desired.

Upon the latter of the two points above referred to, we have received from the chief inspector and chief investigator at the Bank, and also from the solicitor, accounts of the course pursued in their respective departments. For which purpose, we requested the personal attendance of each of those officers, and entered into such an examination of them as appeared to us to be calculated to produce the necessary information. We have also been furnished by the Bank with the means of judging of the actual state of forgery, and of the degree of skill which appears sufficient to deceive the public, by the examination of forged notes of various kinds; and even of the tools and instruments used by one forger, which were taken upon him.

Whilst it is painful to observe the degree of talent thus perverted, it is at the same time to be remarked, that in many instances the public

suffer themselves to be deceived by very miserable imitations; and it is to be feared that a similar carelessness would very much lessen the good effects to be derived from the employment of superior skill and workmanship in the formation of a new note. Another fact appears proper to be noticed here, as forming an important ingredient in the consideration of any proposed plan. The issue of small notes by the Bank is necessarily very uncertain and irregular in its amount. We find, that to keep up the usual supply, not less than fifty plates are requisite; and it is considered proper to have a much larger number in a state of preparation. And as it is obviously necessary to preserve, as much as possible, identity in the notes, this circumstance alone precludes the application, for this purpose, of many ingenious plans, even if there did not exist other insuperable objections to them.

Resulting from the above statements and examinations, some general observations have occurred to us, which appear proper to be introduced in this stage of the report.

It has been very commonly imagined, that, in consequence of the simplicity of execution in the present Bank-notes, the actual forgery of them was very generally and extensively practised, and that often by persons without money or talent; and this idea has formed the basis of much of the reasoning used by many of the projectors, whose plans have been under our view. The reverse of this we believe to be the fact: and from the information before us, we feel ourselves warranted in stating our opinion, that the great quantity of forged small notes which have lately been found in circulation, have all issued from a very few plates only; and that the fabrication of them

is chiefly confined to one particular part of the country, and carried on by men of skill and experience, and possessed of a very considerable command of capital. Upon a cursory observation, it appeared remarkable, that while so many utterers are constantly brought to justice, the actual forger should very rarely, indeed, be detected. But further investigation has led us to think, that this fact may be accounted for; and without entering into details, which upon this point it is better to avoid, we think that it results naturally from the lamentable perfection of system to which this fraudulent traffic has been brought; and we have seen no reason to doubt that the Directors of the Bank, and their officers, have used every exertion in their power to bring the actual forgers to justice, though unfortunately without success, except in very few instances. We cannot refrain, however, from adding to this statement our opinion, that there must be some culpable remissness in the local police of those districts within which the actual fabricators of Bank-notes are more than suspected to reside, and to carry on their trade with impunity. And before we quit this part of the subject, we wish to suggest, for the consideration of those by whose judgment such a question may be properly decided, whether it might not be expedient to offer a very large reward for the apprehension and conviction of a person actually engaged in forging Bank-notes. We are aware of the objections which exist against the system of pecuniary rewards, and are fully impressed with a sense of the evils that may arise from a too general adoption of it; but the circumstances under which the crime of forgery exists in this country are peculiar; and it ap-

appears to us hardly possible that those evils, which might be anticipated from the offer of a reward in the case of some other crimes, could follow from such an offer in this case; and knowing how many individuals must be saved from punishment by the conviction of one actual forger, we venture to recommend the adoption of this measure, to be concurrent with such an improvement in the form of the note as we hope to see effected.

Having been furnished with such information as was within our reach, relative to the subject of our inquiry, we, in the next place, proceeded to examine more in detail the several projects submitted to us. In pursuing this examination, we have not indulged the vain expectation of finding any plan for a bank note which shall not be imitable by the skill of English artists; and we have considered that it would be utterly unsafe to rely for security against forgery upon the employment of any process, the chief merit of which was to consist in its being kept secret; of which several have been communicated to us. Our object has been to select some plan, of which the process, when the principles of it are understood, and the machinery and implements provided, should be simple enough to be applied without interruption to the extended operations of the Bank; and should, at the same time, comprise so much of superior art, as may oppose the greatest possible difficulties to the attempts of the forger, and may present such points of accuracy and excellence in workmanship to the eye of any individual using ordinary caution, as shall enable him to detect a fraud by observing the absence of those points in a fabricated note. In the mass of the schemes before us, there are of course very various de-

grees of merit; and we endeavoured to class them as well as circumstances would permit. From a very large portion of them it was obvious, upon a first inspection, that no beneficial result could be expected. Of the whole number we find about twelve of superior skill and ingenuity, but anticipated by others of higher merit; or merely ingenious, but inapplicable in practice. And we consider nine others to be either of such originality or ingenious combination of existing means, as to have required our more particular attention; and with respect to these much consideration has been had, and, in some instances, improvements and experiments suggested and tried.

We have not considered, as decisive against the merit of any particular plan, the single fact, that it may be imitated by superior art and expensive means: but when we have found, in the case of specimens submitted to us, apparently of great excellence, and the result of a combination of talent or machinery, that a very good imitation has been produced in a very short time, without any peculiar expense, and by the application of means only which are within the reach of very many artists and engravers in England; and when we reflect, to how very few hands the business of forgery appears to be at present confined, we cannot doubt that in the event of bank notes being formed from any of such specimens, an equal number at least of persons would very soon indeed be found capable of fabricating those notes to a considerable extent, and with a degree of skill quite sufficient to deceive the public. Another consideration has also had weight in inducing us to hesitate much, before we venture to recommend any specific plan. The adoption of any

new form of note presenting peculiar and characteristic marks, but the imitation of which we could not confidently feel to be extremely difficult, would not only not do good, but would produce much evil; and would induce a false security, by accustoming the public to rely upon the appearance of such marks and peculiar character, rather than upon a cautious and general observation of the whole note.

Our remarks, however, as to imitation, do not apply to all the specimens which have been offered to us. There are a few of singular and superior merit produced by means which it is very improbable should ever come within the reach of any single forger, and the imitation of which, except by those means, appears in a high degree difficult.

Safety, or rather comparative safety, is to be sought, to a certain extent, in a combination of excellence in various particulars; but chiefly, as we conceive, in the application of a principle beyond the reach of the art of the copperplate engraver, which in its different processes is possessed of the most formidable power of imitation. One plan, before alluded to as apparently affording this advantage, has been, with the most liberal assistance from the Bank, for some time past in a course of trial for its greater perfection, and with a view to combination with other improvements, satisfactory experiments of which have already been effected. The result, if our expectations be not disappointed, will afford a specimen of great ingenuity in the fabric

of the paper, of great excellence in the workmanship, and of a very peculiar invention, and difficult machinery in the art of printing. We confidently hope, that no long time will elapse before we are enabled to lay before your Royal Highness the result: and we have every reason to know, that the Bank Directors are sincerely anxious to adopt any plan, which shall be found, after patient examination, to be worthy of adoption. In the mean time, we have thought it right not to delay informing your Royal Highness of the course of our proceedings. The investigation in which we have been engaged, has strengthened, rather than removed, our feeling of the difficulties with which the whole subject is surrounded. We do not wish to represent those difficulties as precluding the propriety of an attempt to remove the existing evils, by a change in the form of the notes issued by the Bank of England; but we do feel them to be such, as make it imperative upon those with whom the responsibility rests, to be fully satisfied that they shall produce an improvement, before they venture to effect a change.

All which is humbly submitted to your Royal Highness's consideration and judgment.

JOS. BANKS,
WM. CONGREVE,
WM. COURTENAY,
DAVIES GILBERT,
JER. HARMAN,
WM. H. WOLLASTON,
CHARLES HATCHETT.

REPORT

OF THE COMMITTEE ON THE POOR LAWS FOR 1819.

The Report, after stating what had been already done on the recommendation of the Committee in the last session, thus proceeds:—

Other enactments of minor importance will be found in the act of this session, which it is unnecessary here to detail: but in addition to these, there are some expedients which your Committee are enabled to recommend, and which either do not absolutely require, or do not perhaps admit of any legislative injunction: such as establishing a prescribed form for keeping parochial accounts, and giving to them periodical publicity; by which the amount of expenditure will be seen under its proper head, and any illegal or unnecessary disbursements will be brought to light and corrected. Printing and distributing still more frequently lists, which the vestry is now bound by law to make out, of the names of those who at any time receive relief, and on what account, is a practice which has prevailed lately in many populous parishes, and with the best effect; and your Committee, therefore, have added to this Report, an eligible form in which these accounts and lists may be exhibited, in the hope that this practice may be very generally adopted, even without a compulsory enactment, to which, however, it may yet be wise to resort; and further, to direct that the clerk of each subdivision meeting of Magistrates should form an abstract of the total

expense incurred in each year for the support of the poor within such subdivision, and return the same to the clerk of the peace of the county at the next ensuing Quarter Sessions, who should be required to publish such abstracts from all the subdivisions of the county annually, together with the amount of charge of each subdivision in the preceding year, so as to afford a comparative view of the diminution or increase of each respectively; and should make an annual return of the aggregate expense of each county to the Secretary of State for the Home Department, for the purpose of bringing the same under the view of Parliament.

In order to prevent litigation in case of removal, a practice has been in some instances adopted by Magistrates of causing a communication to be made personally, or by letter (which it would be extremely difficult to regulate by law,) to the parish to which the removal is proposed to be made, of the day in which the adjudication of the settlement will take place; a fair hearing of both parties commonly ensues, and the expense of an appeal is frequently prevented.

By such provisions, and more especially by the establishment of select vestries and assistant overseers, your Committee are sanguine in their hopes, that the mischief resulting from the reliance on parish support may be in some degree palliated, and

that the loose and careless administration of the law, by which it has been aggravated, will be essentially corrected.

But this is not all that your Committee deem requisite to secure the kingdom from the calamities that must attend the continued progress of this evil; and they do not believe that such security can be obtained, as long as by an erroneous construction, as your Committee believe, of the Act of Elizabeth, parishes are supposed liable to be called upon to effect the impracticable purpose of finding employment for all who may at any time require it: they believe the ill consequences which have arisen from this practice are most palpable, and most mischievous; and they are, therefore, peculiarly anxious to recall the most serious attention of the House to this construction which has been put practically on this part of the statute.

Pecuniary relief seems indisputably to have been only contemplated by this act for "the lame, impotent, old, blind, and such other among them being poor and not able to work, and also for putting out children to be apprentices;" but the direction to "set to work all persons having no means to maintain them, and using no ordinary or daily trade of life to get their living by," has been acted upon as if it were a clear authority for requiring the parish to find employment for all who want it. The Committee, in 1817, questioned the soundness of this construction in the following terms:—"If the object of the statute was merely to set to hard labour such idle wandering persons as might be found in a state nearly approaching to that of vagrancy, such an object might possibly be carried into effect with a fair hope of beneficial consequences; but if the object of the statute was

(as it is now interpreted) that the State is to find work for all who in the present, and in all succeeding time, may require it, your Committee are of opinion, that this is a condition which it is not in the power of any law to fulfil; what number of persons can be employed in labour must depend absolutely upon the amount of the funds which alone are applicable to the maintenance of labour." The Committee proceeded to illustrate their position by a train of reasoning, which will be found in the 14th page of that Report.

The further consideration and investigation of this subject has confirmed their opinions; for your Committee are not aware, that the Courts of Law have at any time construed the act according to this practice; indeed, the decision referred to in the former report, in which it was held that an order of maintenance is not valid without it adjudges the party seeking relief to be *impotent*, leads to an opposite conclusion. If reference be had also to the authority of early writers, or to those who in modern times have bestowed the most attention on this subject, the same inference would follow. In a work which has been lately cited by an able anonymous author, entitled, "A Description of England," by W. Harrison, and which, as published in the Chronicles of Holingshed, is brought down to the year 1586, it is stated, that "the poor are divided into three sorts, so that some are poor by impotency, as the fatherless child, the aged, blind, or lame, and the diseased person that is judged to be incurable; the second are poor by casualty, as the wounded soldier, the decayed householder, and the sick person visited with grievous and painful diseases; the third consisteth of thriftless poor, as the rioter that hath consumed all, the vagabond

that will abide no where, but runneth up and down from place to place, (as if it were seeking work, and finding none); and finally the rogue," &c.

"The two first sorts, that is to say, the poor by impotency, and the poor by casualty, are the true poor, indeed, and for whom the word doth bind us to make some daily provision; there is order taken throughout every parish in the realm that weekly collection shall be made for their help and sustentation; but if they refuse to be supported by this benefit of the law, and will rather endeavour, by going to and fro, to maintain their idle trades, then they are parcel of the third sort, and so, instead of courteous refreshing at home, are often corrected with sharp execution, and whip of justice abroad."

Now, this classification of the poor, in the very age of Elizabeth, leads to the conclusion, that the persons designed by the terms "using no ordinary or daily trade of life to get their living by," were, as the Committee of 1817 supposed, that third class who are deemed "thrifless poor, &c.," who, it should seem, were made to labour as long as they continued within their own parish; but if they left it, were subject to the severe penalties then inflicted on vagrancy, and would now come within the provisions of the present vagrant laws.

In the year 1695, another author of eminence, referring to the sums raised for the relief of the poor, says, "As this money is managed in most places, instead of relieving such as are truly poor and impotent (which the laws design,) it serves only to nourish and continue vice and sloth in the nation. The real and true objects of charity would cost the nation but little to maintain; and it is to be doubted they have the least share in the public reliefs."

But to come nearer to our own times, and to the most laborious, copious, and valuable work on this subject, we find the opinion of the judicious and unprejudiced author of "The State of the Poor," expressed in the following decided terms:—

"From the language of various statutes concerning the poor, which passed during the reign of Queen Elizabeth, and which being *in pari materia*, explain each other, either in matter of law, or illustrate each other in matter of fact, it may fairly be implied to prove, that the relief of the able-bodied poor, with or without families, was no part of the original system of the poor laws. The 3d of William and Mary, c. 11, s. 11, corroborates this idea, which is *put out of doubt* by the preamble to 8. and 9. William and Mary, c. 30, s. 2. "To the end, that the money raised only for the relief of such as are as well impotent as poor, may not be misapplied or consumed by the idle, sturdy, and disorderly beggars."

These opinions would, in the absence of any decision of Courts of Law to the contrary, be entitled to much weight; but this preamble referred to by the last author, and which was cited in the former report, p. 20, for the same purpose, seems decisive on the question. Nor, indeed, can it be well imagined, that the supreme legislative power of any country would have anticipated a permanent order of things, in which a large class of the people should be habitually and necessarily without employment. Your Committee conceive that the demand and supply of labour have, in the natural course of things, such a tendency to regulate and balance each other, unless counteracted by artificial institutions, that any excess of either, arising from temporary causes, would, if met by temporary expedients alone, in no

long time correct itself; whereas the practice now under consideration, originating perhaps in a humane extension of the law to meet cases of occasional and pressing emergency, and inconsiderately continued, is calculated to perpetuate evils, that would otherwise be transient, and permanently to derange the whole industry of the country.

That such has been its effect in those parts of this kingdom where the practice has most prevailed, is but too manifest. Your Committee say, where the practice has most prevailed, because they have learnt that some Magistrates have resisted this, which they have deemed, with your Committee, a misconstruction of the law. We may feel and lament that a compulsory provision, for even the helplessness of age and infirmity, has a tendency to weaken in a degree the natural efforts of men to provide against future ill; but if, by any human institution, the *present* wants of life are to be obtained otherwise than by human exertion, the very sources of all industry must be destroyed. If, therefore, the parish be bound to find employment for those who are, from whatever cause, without it, it is obvious that in cases where the family is numerous, and the honest pride and independence of self-support is extinguished, it becomes on calculation a matter of perfect indifference, whether the money requisite for their maintenance be derived from the wages of labour, or the alms of the parish. The consequence is, that the motive that would naturally impel men to active and faithful service is wanting; for even if employment be forfeited by misconduct, the same means of support, in the case supposed, will be given, and probably little labour will be exacted in return; for the parish work is in all cases performed without the su-

perintending control of private interest; and it must be remembered, that the persons who make this demand for work on the parish, are, generally speaking, (though at the present time it is certainly in many instances otherwise), the least active, the least strenuous, and the least industrious of the community. It is the want of those qualities which has, generally speaking, deprived them of employment. It has consequently appeared to your Committee, that under this practice, not only the pressure of the burden of the poor's rate has become almost overwhelming, but that the amount of regular labour has been greatly diminished, and its quality materially impaired; and that it should be so, under such direct temptations to idleness, can scarcely be matter of surprise, or even of inculpation. But a striking proof of the prejudicial consequences of this practice is afforded by the circumstance, which for other purposes has been pressed on the attention of your Committee, that it is uniformly found that such inhabitants of a parish as have not acquired a settlement in it, and can obtain no such relief without being removed, are distinguished by their activity and industry, and generally possess not only the necessities, but the comforts of life; and your Committee have lately learnt with satisfaction, that the operation of the act of this session has already relieved some parishes of the metropolis from the heavy burden of maintaining numbers of persons without settlements in England; who are stated "now to support themselves, instead of applying for parochial relief, under the apprehension of being sent home."

If, therefore, from a due consideration of this part of the statute of Elizabeth, from the opinions of early and late writers of authority on the

subject, from the nature of the case itself, and, above all, from the express terms of the statute of William III., this supposed obligation of parishes to find work for all who require it, is at variance with the letter and spirit of the law, and has been, and is productive of the most baneful effects: it appears to your Committee to be of the last importance that the practice of the country should be made consonant with the law in this respect by a new enactment, specifying distinctly to whom, and to whom alone, relief derived from a compulsory assessment shall be afforded. At the same time they are well aware, that it is not at a moment like the present, when, from a concurrence of circumstances, the country is unusually embarrassed by the number of persons without employment, that it should be attempted to bring this better system at once into operation; and it would be probably expedient previously to remove any impediments which are thrown in the way of the free circulation of labour, either by the existing laws respecting the settlement of the poor, or those which relate to vagrancy; the former of which, it must be recollected, did not exist in their present form, when the compulsory system of providing for the relief of the poor commenced. Your Committee, indeed, recommended to the House to replace the law of settlement upon its ancient footing, as the first step towards removing that restraint, which they deem a serious obstacle to any radical amendment of the system; and they regret that the view which they had formed for the attainment of this object, and at the same time simplifying this law, and thereby diminishing litigation, did not meet with the concurrence of the House; which they attribute rather to its apprehended operation upon particu-

lar local interests, than to any defect in the principle on which it was recommended.

That the market for labour is in many parts of the kingdom at present much overstocked, does not admit of dispute; nor does your Committee believe, that in other parts the demand is greater than the supply: it is not probable, therefore, that even the entire and immediate removal of all such impediments, if it were practicable, would of itself, at this moment, cure the existing evil. Other measures, assisted by the unrestrained operation of natural causes, will yet be wanting to bring the kingdom, in this respect, to its ordinary and healthful state. Your Committee, therefore, must recur to the opinion expressed in the former report, that "all obstacles to seeking employment wherever it can be found, even out of the realm, should be removed, and every facility that is reasonable afforded to those who may wish to resort to some of our own colonies;" for it seems not unnatural, that this country should, at such a time, recur to an expedient which has been adopted successfully in other times and in other countries, especially as it has facilities for this purpose which no other state has perhaps ever enjoyed to the same extent, by the possession of colonies affording an extent of unoccupied territory, in which the labour of man, assisted by a genial and healthy climate, would produce an early and abundant return. Your Committee thought it desirable to make some inquiries on this subject, the result of which will be found in the minutes of evidence.

If by these and other means, by a continuance of the blessings of peace, and a consequent augmentation of capital, the demand and supply of labour should be nearly balanced,

and the wages of labour become a more adequate remuneration of industry, your Committee are satisfied, that the object which they recommend might be gradually attained, without material embarrassment or difficulty; provision continuing to be made by law for the infirm and helpless, and the partial and temporary distress which might occasionally befall even the able and industrious, being left, as it confidently might, to the aid of voluntary and discriminating benevolence, to which alone it should be remembered, the wants even of age and infirmity in most other countries are referred. The assessment, thus limited in its application, would no longer threaten to absorb all the sources of supply, nor continue to seduce the labouring part of the population, by the delusive promise of parish relief, from their natural habits of industry. The greater part, your Committee believe, of the sums of money which are now forced into the poor's rate, and under a compulsory, and for the most part unprofitable distribution, would probably be restored to their natural channel, giving thereby an increased activity to labour, under the interested but beneficial superintendence of their owners; from which would necessarily result a rise of wages, with the beneficial consequences that would naturally ensue to the labouring classes; active and faithful service would indeed be found indispensable for the supply of present wants; and recourse would doubtless be had to those facilities and inducements which are now afforded to realize the benefits of exertion and frugality. Your Committee need not dwell on the importance of giving undoubted security to the acquisitions of industry, however small.

From the evidence in the Appendix to the first Report (1817,) it will be

seen how much security was wanting, and how beneficially it would in all probability operate. This advantage, for the attainment of which hopes only were entertained at a very recent period, is now very generally afforded, and in the most inviting form, by the numerous and successful establishments of Banks for Savings. They present the most undoubted security for the sum deposited, the certain profit of interest or accumulation, and the constant and immediate command over the principal itself. If, however, ensuring against the contingencies of life should be more acceptable, your Committee trust, that the calculations on which Benefit Societies may be formed will in future be placed on a surer footing; some information respecting both those institutions has been obtained from a gentleman to whom the public is under great obligations, for his exertions in constructing and promoting the former of those establishments.

Under these circumstances, your Committee would therefore anxiously direct the future attention of the House to such measures as may be calculated ultimately to relieve parishes from the impracticable obligation of finding employment for all who may at any time require it at their hands, and to confine the relief derived from compulsory assessments to the "lame, impotent, old, blind, and such other among them being poor, and not able to work;" and they are satisfied that the best preparation for such an enactment will be made by the careful execution of the act of the present session, by removing any restraint on the free circulation of labour, and giving every facility and encouragement to seek employment in any part of the King's dominions; the provident habits of the people being at the same time

aided by the advantages resulting from the admirable institutions to which they have above referred, and from the improved education of their children in the principles of morality and religion, united with habits of industry. By such means your Committee believe, that the progress of the evil of the present system may be arrested, and its prejudicial effect, in a moral, political, and economical view, be gradually and materially corrected.

REPORT

OF THE COMMISSIONERS APPOINTED TO CONSIDER THE SUBJECTS OF
WEIGHTS AND MEASURES.

May it please your Royal Highness,

We, the Commissioners appointed by your Royal Highness for the purpose of considering how far it may be practicable and advisable to establish within his Majesty's dominions a more uniform system of weights and measures, having obtained such information as we have been able to collect, beg leave to submit, with all humility, the first results of our deliberations.

1. We have procured, for the better consideration of the subject referred to us, an abstract of all the statutes relating to weights and measures, which have been passed in the United Kingdom from the earliest times; and we have obtained from the county reports, lately published by the Board of Agriculture, and from various other sources, a large mass of information, respecting the present state of the customary measures, employed in different parts of the United Kingdom. We have also examined the standard measures of capacity kept in the Exchequer, and

we have inquired into the state of the standards of length of the highest authority. Upon a deliberate consideration of the whole of the system at present existing, we are impressed with a sense of the great difficulty of effecting any radical changes, to so considerable an extent, as might in some respects be desirable; and we therefore wish to proceed with great caution, in the suggestions which we shall venture to propose.

2. With respect to the actual magnitude of the standards of length, it does not appear to us that there can be any sufficient reason for altering those which are at present generally employed. There is no practical advantage, in having a quantity commensurable to any original quantity, existing, or which may be imagined to exist, in nature, except as affording some little encouragement to its common adoption by neighbouring nations. But it is scarcely possible, that the departure from a standard, once universally established in a

great country, should not produce much more labour and inconvenience in its internal relations than it could ever be expected to give in the operations of foreign commerce and correspondence, which always are, and always must be conducted by persons, to whom the difficulty of calculation is comparatively inconsiderable, and who are also remunerated for their trouble, either by the profits of their commercial concerns, or by the credit of their scientific acquirements.

3. The subdivisions of weights and measures, at present employed in this country, appear to be far more convenient for practical purposes than the decimal scale, which might perhaps be preferred by some persons, for making calculations with quantities already determined. But the power of expressing a third, a fourth, and a sixth of a foot in inches, without a fraction, is a peculiar advantage in the duodecimal scale, and for the operations of weighing and of measuring capacities, the continual division by two renders it practicable to make up any given quantity, with the smallest possible number of standard weights or measures, and is far preferable in this respect to any decimal scale. We would therefore recommend, that all the multiples and subdivisions of the standard to be adopted should retain the same relative proportions to each other as are at present in general use.

4. The most authentic standards of length which are now in existence, being found upon a minute examination to vary in a very slight degree from each other, although either of them might be preferred without any difference that would become sensible in common cases, we beg leave to recommend, for the legal determination of the standard yard, that which was employed by General Roy,

in the measurement of a base on Hounslow-heath, as a foundation for the trigonometrical operations that have been carried on by the Ordnance throughout the country, and a duplicate of which will probably be laid down on a standard scale, by the Committee of the Royal Society, appointed for assisting the Astronomer Royal, in the determination of the length of the pendulum; the temperature being supposed to be 62 degrees of Fahrenheit, when the scale is employed.

5. We propose also, upon the authority of the experiments made by the Committee of the Royal Society, that it should be declared, for the purpose of identifying or recovering the length of this standard, in case that it should ever be lost or impaired, that the length of a pendulum vibrating seconds of mean solar time in London on the level of the sea, and in a vacuum, is 39.1372 inches of this scale; and that the length of the metre employed in France, as the ten millionth part of the quadrantal arc of the meridian, has been found equal to 39.3694 inches.

6. The definitions of measures of capacity are obviously capable of being immediately deduced from their relations to measures of length; but since the readiest practical method of ascertaining the magnitude of any measure of capacity is to weigh the quantity of water which it is capable of containing, it would, in our opinion, be advisable in this instance to invert the more natural order of proceeding, and to define the measures of capacity, rather from the weight of the water they are capable of containing, than from their solid content in space. It will therefore be convenient to begin with the definition of the standard of weight, by declaring, that 19 cubic inches of distilled water, at

the temperature of 50 degrees, must weigh exactly 10 ounces of troy, or 4,800 grains; and that 7,000^o such grains make a pound avoirdupois; supposing, however, the cubic inches to relate to the measure of a portion of brass, adjusted by a standard scale of brass. This definition is deduced from some very accurate experiments of the late Sir George Shuckburgh, on the weights and measures of Great Britain; but we propose at a future period to repeat such of them as appear to be the most important.

7. The definitions thus established are not calculated to introduce any variation from the existing standards of length and of weight, which may be considered as already sufficiently well ascertained. But, with respect to the measures of capacity, it appears, from the report contained in the Appendix, that the legal standards of the highest authority are considerably at variance with each other; the standard gallon, quart, and pint of Queen Elizabeth, which are kept in the Exchequer, having been also apparently employed; almost indiscriminately, for adjusting the measures both of corn and beer; between which, however, a difference has gradually, and, as it may be supposed, unintentionally crept into the practice of the Exchequer; the ale gallon being understood to contain about $4\frac{1}{2}$ per cent. more than the corn gallon, though we do not find any particular act of Parliament in which this excess is expressly recognized. We think it right to propose that these measures should again be reduced to their original equality; and at the same time, on account of the great convenience which would be derived from the facility of determining a gallon and its parts, by the operation of weighing a certain quantity of water,

amounting to an entire number of pounds and ounces without fractions, we venture strongly to recommend, that the standard ale and corn gallon should contain exactly 10 pounds avoirdupois of distilled water, at 62° of Fahrenheit, being nearly equal to 277.2 cubic inches, and agreeing with the standard pint in the Exchequer, which is found to contain exactly 20 ounces of water.

8. We presume that very little inconvenience would be felt by the public, from the introduction of this gallon, in the place of the customary ale gallon of 282 cubic inches, and of the Winchester corn gallon, directed by a statute of King William to contain 269, and by some later statutes estimated at 272 $\frac{1}{2}$ cubic inches; especially when it is considered that the standards, by which the quart and pint beer measures, used in London, are habitually adjusted, do not at present differ in a sensible degree from the standard proposed to be rendered general. We apprehend also, that the slight excess of the new bushel, above the common corn measure, would be of less importance, as the customary measures employed in different parts of Great Britain are almost universally larger than the legal Winchester bushel.

9. Upon the question of the propriety of abolishing altogether the use of the wine gallon, and establishing the new gallon of 10 pounds, as the only standard for all purposes, we have not yet been able to obtain sufficient grounds for coming to a conclusive determination: we can only suggest, that there would be a manifest advantage in the identification of all measures of the same name, provided that the change could be made without practical inconvenience; but how far the inconvenience might be more felt than

the advantage, we must leave to the wisdom of his Majesty's Government to decide.

10. In the mean time it may be advisable to take into consideration the present state of the numerous and complicated laws which have been enacted at various times for the regulation of the weights and measures employed in commerce: and the abstract of these laws, which we have prepared, will be found in the Appendix of this report. We must, however, reserve for a future occasion, the information which we have procured respecting the customary weights and measures of the different counties, as we have not yet been able to reduce our abstract into the most convenient form, for affording a connected view of this branch of the subject referred to us.

(Signed) Jos. BANKS,
GEORGE CLERK,
DAVIES GILBERT,
WM. H. WOLFEASTON,
THO. YOUNG,
HENRY KATER.

LISTS, No. VI.

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— The lady of the Hon. Captain Napier, Royal Navy, a son and heir.

17. The lady of Duncan Robertson, Esq. of Carron Vale, a son and heir.

18. At Florence, the lady of Roderick McNeil, Esq. a daughter.

19. At Hawick, Roxburghshire, Mrs Jane Hope, a son and daughter, after being 18 years married.

21. The Duchess of Berri, a daughter.

22. Mrs Mackenzie, Pittrichie, a son.

— At Pennicuik House, Lady Clerk, a son.

23. The Honorable Lady Fergusson, a son.

— At Lisbon, Lady Buchan, a son.

24. Mrs Arbuthnot, Charlotte Square, Edinburgh, a daughter.

25. At Balkail, Giehluce, the lady of Captain J. Ross, R. N. a son.

— At Edinburgh, the lady of Captain William Marshall, Hon. E. I. C. service, a daughter.

28. The lady of Dugald M'Dougall, Esq. of Gallanach, a daughter.

30. At Berlin, the lady of George Sholto Douglas, Esq. a daughter.

OCT. 1. The lady of Major Nickle, 88th regiment, a son.

2. The lady of Captain James, 2d, or R. N. B. Dragoons, a daughter.

— Mrs Captain M'Vicar, R. N. a daughter.

— At Bombay, the lady of William Erskine, Esq. a daughter.

3. Her Excellency the Countess of Talbot, a son.

— At Lockmalony, the lady of Major Horsburgh, a son.

5. The lady of Captain Romer, Royal Artillery, a daughter.

6. At Madras, the lady of John Shaw, Esq. a son.

8. Lady Agnew, a son.

— At Arch Cliff Fort, Dover, the lady of Captain Duncan Grant, Royal Artillery, a son and heir.

11. The Countess of Jersey, a son.
14. The lady of the Honourable George Lennox, a daughter.
— At Paris, the lady of Alexander H. Hamilton, Esq. of the Retreat, in Devonshire, and of Hüllerhish, in Ayrshire, a daughter.
15. At Edinburgh, the lady of the Rev. R. Morehead, a daughter.
16. Lady William Russell, a son and heir.
17. Lady Dunbar, a son and heir.
— The Duchess of Mecklenburgh, a daughter.
20. The Countess of Hopetoun, a son.
22. The lady of John Robertson, Esq. of Foveran, a son.
23. The lady of Major Menzies, 42d regiment, a daughter.
— At Exmouth, the Hon. Mrs Ogilby of Craig, a daughter.
- At Rome, Lady Kensington, of a son.
Lately, The lady of Sir C. Wolseley, Bart. a son.
- Nov. 3. At Darnhall, the Hon. Mrs Oliphant Murray, a son.
4. The Marchioness of Downshire, a son.
— At Lennox Love, the lady of Colonel the Hon. P. Stuart, a daughter.
— The lady of Henry Iveson, Esq. of Blackbank, a daughter.
7. Mrs Captain John Boyd, late of the 82d regiment, a son.
8. Lady Audley, of a son.
9. At the manse of Kirkhill, Mrs Fraser, a daughter.
11. Mrs Abercromby of Birkenbog, a daughter.
— At Stony Bank, the lady of Major J. S. Sinclair, Royal Artillery, a daughter.
— The lady of Captain John A. Durie, late of 92d regiment, a daughter.
12. The Hon. Mrs Dundas of Dundas, a son and heir.
— The lady of Lieutenant-Colonel Taylor, 10th hussars, a daughter.
13. The lady of Sir Alexander Mackenzie of Avoch, a son.
14. At Annan, the lady of James Burgess, Esq. R. N. a daughter.
16. At Cockenzie, Mrs H. F. Cadell, a son.
- The Honourable Mrs Stewart Mackenzie, a daughter.
26. Mrs Farquharson of Haughton, a son.
27. The lady of Henry Brougham, Esq. M. P. a daughter.
28. Mrs Miller of Glenlec, a son.
29. At Wellshot, the Lady of Captain William Stirling, a son.
30. Mrs Gordon, of Harpfield, a son.
— At Fulham, the lady of Paul Methven, Esq. a son.
— The Countess of Brownlow, a daughter.
Dec. 1. Mrs Oliphant of Rossie, a son.
At Boulogne, the lady of Lieut.-Colonel MacLachlan, a son.
2. The Countess of Athlone, a daughter.
3. The lady of Wm. Hay, Esq. of Drummelzier, a son and heir.
4. At Aberdeen, the lady of Lieut.-Col. Clerk, a son.
6. At Musselburgh, the lady of Major Dons, a son.
7. At Bombay, the lady of the Honourable Lieut.-General Sir Charles Colville, G. C. B. a daughter.
8. At Stranraer, the lady of Major-General Macnair, C. B. a son.
— At Muncaster Castle, Lady Lindsay, a son.
11. The lady of Captain Cargill, 74th regiment, a daughter.
12. At Ilford, Essex, the lady of Lieut.-Colonel Allan, a daughter.
— At Edinburgh, Mrs Laing Meason of Lindertis, a son.
13. At Balbegno Castle, the lady of Captain Ramsay, a daughter.
— At Dunsinane, the lady of J. M. Nairne, Esq. a daughter.
16. At Edinburgh, Mrs Waugh, Minty Street, a son.
19. Mrs Fordyce of Ayton, a son.
21. In London, the lady of James Loch, Esq. a son.
— Mrs Turner of Kilbuie, a son.
23. Lady Mackenzie of Coul, a son.
— Mrs Hagart of Bantaskine, a daughter.
25. The lady of William Stothert, Esq. of Cargen, a son.
26. Mrs Colonel Munro, George's Square, Edinburgh, a son.
Lately, Viscountess Anson, a daughter.

MARRIAGES.

JANUARY 5.—Mr Joseph Chapman, of the Ordnance, to Miss Stanley.

11. At the Parish Church, Leeds, Thos. Kinnear, Esq. banker, Edinburgh, to Miss Susannah Gott.

— The Most Noble George Marquis of Blandford, to the Right Hon. Lady Jane Stewart.

12. Sir David Moncrieffe, of Moncrieffe, Bart. to Miss Helen Mackay.

— In St Paul's Chapel, Edinburgh, Lieutenant-Colonel George M'Konochie, to Miss Isabella Alison.

14. At London, Lieut.-Colonel Charles Tryon, 88th regiment, to Miss Sheridan.

18. At Edinburgh, Dr Charles Stuart of Dunearn, to Miss Margaret Parlane.

26. At St Pancras, London, Sir John Maclean, K.C.B. to Miss Price.

— At Paris, the Chevalier de Fitzjames, brother to the Duke, to Miss Helen Frances Carmac, London.

— The Rev. Arch. Colin Campbell, A.M. of Pontefract, Yorkshire, to Miss Dalrymple.

— At the palace of Corfu, Lieut.-Colonel Hankey, Private Secretary to his Excellency Sir T. Maitland, to Mrs Catterina Vaslamo, of Corfu.

— Lieut. Alex. Quarrier, Royal Scots, to Miss Ann Auriol Lawson.

— At Sunbury, James Ross, LL. D. to Miss Smith.

FEBRUARY 3. At Portobello, Jos. Pearce, Esq. of Breminster, Dorsetshire, Capt. R. N. to Miss Forbes M'Kay.

6. The Rev. William Fortescue, to Miss Isabella Barclay of Durie.

8. At Drumsheugh House, George Forbes, Esq. banker in Edinburgh, to Miss Hay.

10. At Edinburgh, Capt. Houston Stewart, Royal Navy, to Miss Martha Miller of Glenlee.

12. At Monktonhill, John Lennox, Esq. of Catrine Holm, to Miss Jane Gardner.

14. At Kingston Church, Portsea, Lord Greenock, to Miss Mather.

15. James Young, Esq. of Peelhill, to Miss Ann Stewart Hamilton of Springbank.

16. Captain Lindsay, Grenadier Guards, to Miss Mary Anne Grant of Gilgraston.

23. At Overton, near York, Robert Dow Kerr, Esq. of Greenock, to Miss Augusta Buchanan.

— At Mavisbank, Alexander Brodie, Esq. merchant in Leith, to Miss Louisa Mercer.

24. The Rev. Peter Cressens, minister of Lauder, to Miss Thomson.

27. The Right Hon. Lord Rodney, to Miss Charlotte Georgiana Morgan.

— Capt. C. Sotheby, R. N. to Miss Jane Hamilton, third daughter of the late William, Lord Belhaven and Stenton.

MARCH 1. Wm. Pollack, Esq. of Whitehall, to Miss Black of Clermont.

2. At Alderston, Captain A. G. Jackson, royal artillery, to Miss Cecil.

3. At London, John Ashley Warre, Esq. of Stratford Place, to Miss Cornwall, niece to the late Vice-Admiral Lord Visc. Gardner, K. C. B.

4. At Dundee, James Knowles, Esq. of Kirkton, to Miss Isabella Pitcairn.

5. In the cathedral of Londonderry, John Montgomery, Esq. to Miss Jane Ferguson, niece to the Lord Bishop of Down.

11. At Cape of Good Hope, Robt. Shand, Esq. surgeon, R. N. to Miss Margaret Millar.

12. Peter Hewat, Esq. W. S. to Miss Taylor of Westbarns.

15. John Allan, Esq. of Fountainbleau, to Miss Jane Allan, of Kirkhouse, Lancashire.

16. The Hon. James Sinclair, second son of the Earl of Caithness, to Miss Elizabeth Tritton, of Westhill.

— Andrew Spottiswoode, Esq. of Bedford Square, London, to Miss Longman of Mount Grove.

— John Borthwick, Esq. younger of Crookston, advocate, to Miss Dundas of Arniston.

17. At Paris, Charles Shakerley, Esq. of Shakerley, in the county of Lancaster, to Madame Rosalie D'Avary, only daughter of the Duke D'Avary.

20. At Liverpool, Mr Egerton Smith, to Miss Wood.

22. C. A. Lennox, Esq. Captain R. N. to Miss Lillias Corson of Dalwha.

— Sir Jacob Astley, to Miss Dashwood.

25. A. Maitland Gibson, Esq. younger of Cliftonhall, advocate, to Miss Ramsay of Barnton.

— At London, Thomas Burch Western, Esq. to Miss Margaret Letitia Bushby.

27. At Dunglass, Henry Harvey, Esq. of the Madras army, to Lady de Lancey, widow of the late Sir William de Lancey, K. C. B.

— At Cheltenham, Captain T. A. Cowper, Bombay Engineers, to Miss Charlotte Maitland.

29. Captain Robert Campbell, of the Hon. East India Company's service, to Miss Jane Campbell.

30. Alex. Whitson, Esq. of Parkhill, to Miss Smyth of Balhary.

— In London, Alex. Maclean, Esq. of Orangehill, Clarendon, Jamaica, to Miss Baigrie.

— At Malta, Lieut. Robert Tait, R. N. to Miss Allen.

30. Captain Francis Dundas, 81st regiment, to Miss Walker.

— At St. George's Church, Limerick, J. Campbell, Esq. Captain, 12th regiment, to Miss Saxton.

APRIL 5.—The Right Hon. Lady Frances Anne Vane Tempest, to Lord Stewart.

6. Henry Brougham, Esq. M.P., to Marianne, widow of the late John Spalding, Esq., and niece of Lord Auckland and Lord Henley.

7. At Inverness, Lieutenant-Colonel Robert Ross, 4th Royal Irish dragoon guards, to Miss Caroline H. McBean.

8. Patrick Robertson, Esq. advocate to Miss Ross.

10. John Buchan Sydesiff, Esq. of Ruchlaw, to Miss Olivier of the island of Alderney.

12. The Hon. and Rev. Edward Wingfield, to Miss Louisa Jocelyn, niece to the Earl of Roden.

14. The Rev. John Muckersy, of West Calder, to Miss Cook of St. Andrew's.

— At Cadiz, Mr Daniel Macpherson of Inverness, to Miss Josepha Hemas.

16. At Edinburgh, Hugh Hope, Esq. in the Civil Service of the Hon. East India Company, to Miss Isabella Gray Mackay, of Scotston.

19. Dr James Brown, physician, Aberdeen, to Miss Paton of Grandhome.

20. Mr James Scarrot of Edinburgh, to Miss Margaret Mitchell of Rosebank.

— At Edinburgh, Ebenezer Black, Esq. surgeon, to Miss Christiana Coventry Grieve.

— At Glasgow, Dr John Robertson, to Miss Macnair.

21. Thomas Walker, Esq. of the Scots Greys, to Miss Beresford.

22. Hugh Ross, Esq. of Kilravock, to Miss Catherine McIntosh of Barr.

23. Henry Cheape, Esq. of Rossie, Fifeshire, to Miss Margaret Carstairs.

25. The Hon. Frederick Lumley, second brother of the Earl of Scarborough, to Miss Jane Bradley.

26. Alexander Hunter, Esq. W.S. to Miss Maria Maclean of Coll.

— William Johnston, Esq. of Lathrisk and Bavelaw, to Miss Jean Douglas.

— Captain J. Ogilvie, of the Hon. East India Company's service, to Miss Helen Allan, Edinburgh.

27. Alex. Grant, Esq. of Clapham, Surrey, to Miss Helen Thorold, Lincolnshire.

30. Robert Honeyman, Esq. merchant,

Grangemouth, to Miss Chirsty Findlay, Edinburgh.

Latelly, at Bombay. Col. Baker, Commissary-General, to Miss Matilda Norris.

At Calcutta, James Dewar, Esq. of the Civil Service, to Miss Emily Dyer.

At Rochester, Lieut.-Col. C. W. Pasley, royal engineers, to Miss Martha Matilda Roberts.

At Fulham, the Earl of Dundonald, to Miss Flowden.

At Naples, the Infant of Spain Don Francis Paul, to Princess Charlotte Louisa of Naples.

The Infant Don Francisco of Spain, to the Princess Caroline of the Two Sicilies.

MAY 2.—At Rome, John Cumming, Esq. of Naples, to Miss Magee, of the Lodge, near Belfast.

3. The Earl of Buckinghamshire to Miss Glover.

10. At Hampton Court, Middlesex, John Kirkland, Esq. of Glasgow, to Miss Vesey.

15. The Earl Temple to Lady Campbell, eldest daughter of the Earl and Countess of Breadalbane.

— The Hon. Richard Neville, son of Lord Braybrooke, to Lady Jane Cornwallis.

15. Capt. Buchanan, R. N. to Miss Matilda Dalbiac.

20. At Clerkseat, William Strattan, Esq. to Miss Black of Watridgemuir.

25. At Glasgow, Mr Chas. Playfair, merchant, to Miss Mary Kennedy.

29. At London, John Innes, Esq. Guildford Street, to Miss Caroline Beechy.

31. Lieut.-Col. Maxwell, 30th regiment, to Miss Douglas of Orchardton.

Latelly, Sandford Graham, Esq. M.P., to Miss Carolina Longston of Sarsdon House, Oxfordshire.

Hugh Denoon, Esq. Pictou, to Miss Fraser, Inverness.

At London, Henry St John Georges, Esq. 19th lancers, to Miss Mitchell.

Woodbine Parish jun. Esq. to Miss Morse of Norwood.

Captain Thomas Hobbs, 92d Highlanders, to Miss Margaret Hackett, Rivers Town, Tipperary.

At Dusseldorf, Lieut.-Col. Baron Hompesch, of the British service, to the Countess Isabella of Nesselrode Freehoven.

Sir John Wrottesley, Bart. to the Hon. Mrs John Bennett.

JUNE 1.—At Dumbarton, Captain George Macghee, royal marines, to Miss Jean Macintyre.

John Cay, Esq. advocate, Edinburgh, to Miss Emily Bullock of Jamaica.

— John Whyte Melville, Esq. of Bennochty and Strathkinnes, to the Right Hon. Lady Catherine Osborne, only daughter of her Grace the Duchess Dowager of Leeds.

2. Dr James Saunders, Lecturer on the Practice of Medicine, to Miss Megget.

3. The Right Hon. Lord Rossmore, to the Right Hon. Lady Augusta Charteris, sister to the Earl of Wemyss and March.

— William More, Esq. to Miss Forbes of Blackford.

7. Archibald Young, Esq. writer, Glasgow, to Miss Christina Walkinshaw of Parkhouse.

— The Rev. William Rorison, Minister of Stair, to Miss Peebles, Newton-upon-Ayr.

— John King, Esq. of Sherwood Park, Tobago, to Miss Foster of Carnegie Park, near Port-Glasgow.

8. John Menzies, Esq. to Miss Sarah Lucy Campbell of Doreland.

10. The Rev. Andrew Scott, Cambusne- than, to Miss Laidlaw.

12. At Bath, Sir Thomas Ramsay of Balmain, Bart. to Mrs Chisholm of Chisholm.

13. Captain John Marshall, 91st regiment, to the Hon. Miss Butler, daughter of Lord Dunboyne.

— At Port-Glasgow, William Lade, Esq. writer, to Miss Susan Cumming.

— At Edinburgh, Captain A. Campbell, of the Honourable East India Company's artillery, to Miss Margaret Hay.

15. Col. Sir Dudley St Leger Hill, to Miss Caroline Drury of Kew, Surrey.

16. Alexander Oswald, Esq. to Miss Dalrymple of North Berwick.

— The Hon. H. F. C. Cavendish, M.P. to Frances Susan, widow of the Hon. Frederick Howard.

17. The Hon. Robert Henry Clive, M.P. of Oakley Park, Shropshire, to the Right Hon. Lady Harriet Windsor, sister of the present Earl of Plymouth.

— Dr Baillie, R. N. to Miss Livingston.

18. At Paris, Henry Peter, jun. Esq. to Sarah, daughter of General Christie Burton.

21. Charles Pascoe Greffell, Esq. M. P. to the Right Hon. Lady Georgiana Isabella Frances Molyneux, eldest daughter of the Earl of Sefton.

22. Edmund Hungerford Lechmere, Esq. of the Rhod, in Worcestershire, to the Hon. Maria Clara Murray, second daughter of the late David Murray, Esq. brother to Lord Elibank.

24. Raleigh Trevelyan, Esq. of Nether Milton, Northumberland, to Miss Elizabeth Gray of Shorestown.

25. James Maxwell, Esq. younger of Prediland and Merkworth, to Miss Ainslie.

28. Robert Stirling Graham, Esq. of Kincaldrum, to Miss Jobson, Dundee.

29. Robert Orr, Esq. Dublin, to Miss Eliza Orr of Ralston.

— William Fleming, Esq. banker, Cupar, to Miss Bonar of Ratho.

JULY 1.—Moncrieff Mitchell, Esq. merchant, Glasgow, to Miss Christian Moncrieff, Muckhart.

— At London, Major Charles Wood, 10th hussars, to Miss Watkins of Penoyer, Breconshire.

— Dugald Campbell, Esq. late of Islandree, to Miss Macdougall of Gallanach.

2. Robert Allan, Esq. of Strawberry Hall, to Miss Rebecca Lawrie, Lowherrioch.

5. Captain Robert Gilkison, to Miss Eleonora Brown, Port-Glasgow.

6. At London, William Yates Peel, Esq. M.P. to the Right Hon. Lady Jane Moore, second daughter of the Earl of Mount Cashel.

8. At London, I. R. G. Graham, Esq. M.P. to Miss Fanny Callander Campbell of Ardkinglas.

9. Robert Macqueen, Esq. younger of Braxfield, to Miss Veitch of Etock.

12. Alexander Balloch, Esq. of Middlefield, to Miss Margaret Melville, Falkirk.

— Kilmarnock, Thomas Maclelland, Esq. to Miss Isabella Tod, Dreghorn.

— Edinburgh, Alexander Thomson, Esq. W. S. to Miss Hay.

13. At Laverock Bank, John Street, Esq. royal artillery, to Miss Catherine Jardine of Harwood.

— At Edinburgh, Mr J. F. Williams, to Miss Margaret Pillans.

— At Edinburgh, William Bogue, Esq. of Kirkland, to Miss West.

— At Coldstone, James Black, Esq. to Miss Mary Ann Farquharson.

14. Wm. Miller, Esq. Sweethope, Bothwell, to Miss Sarah Mayoh, Castle Douglas.

— James Halplane Tait, Esq. Captain, 1st N. to Miss Stewart Cunningham.

15. Charles Drummond, jun. Esq. to the Hon. Mary Dulcebelia Eden, sister of Lord Auckland.

17. At Paris, Col. the Comte de Mondreville, of the King's Garde du Corps, &c. to Lady Maria Caroline Brudenel Bruce, eldest daughter of the Earl and Countess of Aglesbury.

17. James Wallace Monteith, Esq. Greenock, to Miss Anderson, Liverpool.

19. At London, the Hon. Frederic Sylvestre North Douglas, to Miss Wrightson, Newworth.

— At Paisley, Deputy Assistant-Commissary-General J. Paterson, to Miss Elizabeth Miller.

— At Kilmarnock, the Rev. Robert Stirling, to Miss Rankin.

— At Madras, Peter Cleghorn, Esq. Barrister at law, to Miss Isabella Allan.

21. At Edinburgh, Major Orr, Royal Fusiliers, to Miss Boyd of Pinkill, Ayrshire.

22. At Edinburgh, James Crawford Esq. W. S. to Miss Eliza H. Bell.

23. Lieutenant Charles Macarthur, 79th regiment, to Miss Elizabeth Campbell, Inverness.

— 26. At Leith, Lieutenant William Riddoch, 4th regiment, to Miss Isabella Telfer Taylor.

27. At Fortrose, John Grant, Esq. of Cloghill, to Miss Mackenzie, Newton.

27. Thomas McCourtie, Esq. of Walltrees, to Miss Mary McNae, Gatehouse.

28. At Glasgow, Archibald Brown, Esq. to Miss Grace Hamilton.

Lately, At London, Captain the Hon Robert Rodney, to Miss Ann Dennet.

— At Carlsruhe, the Margrave Leopold of Baden, to the Princess Sophia Wilhelmina, daughter of the ex-King of Sweden.

— The Hon. Captain Perceval, R. N. to Miss Hofnby of Titchfield.

August 5. At Brigham, near Cocker-mouth, the Reverend George Coventry, M. A. to Miss Head, High Cross, Cumberland.

— At Warriston Crescent, Robert Dry-bourgh Menzies, Esq. to Miss Agnes Pimper.

— Alexander Scott, Esq. W. S. to Miss Marshall Gardiner of Hillcairnry.

— Walter Long, Esq. of Rood Ashton, Wiltshire, to Miss Mary Ann Colquhoun, daughter of the Right Hon. Archibald Colquhoun, Lord Register of Scotland.

— Adam Walker, Esq. younger of Muir-houselaw, to Miss Catherine Murray, Up-law.

5. The Right Hon. the Earl of Uxbridge, to Miss E. Campbell of Shawfield, niece to the Duke of Argyle.

7. James Buchanan, Esq. of Glasgow, Miss Findlayson, St Elizabeth's, Jamaica.

9. Lieut.-Col. Steele, Coldstream Guards,

to Lady Elizabeth Montague, daughter of the Duke of Manchester.

— William Abgan White, of Howden, Esq. advocate, to Miss Gibson, Clifton Hall.

9. John Flint, Esq. to Miss Jane Ewart, Newington, Edinburgh.

— William Henry Murray, Esq. to Miss Dyke, both of the Theatre Royal, Edinburgh.

10. David Rankine, Esq. rifle brigade, to Miss Grabame, Glasgow.

— Lieut.-Col. the Hon. James Henry Keith Stewart, M. P. to Miss Henrietta Ann Madan.

— James Macdonald, Esq. M. P. to Lady Sophia Keppel, eldest daughter of the Earl of Albemarle.

11. Frederick Gray, Mobile, West Florida, to Miss Hardie, Glasgow.

— W. B. Kennedy Lawrie, of Woodhall, Esq. to Miss Robertson, Woodfordale, Trinidad.

12. At Old Aberdeen, Mr William Aikman, of the Bank of Scotland, Aberdeen, to Miss Nicol.

— The Right Honourable the Earl of Rosebery, to the Honour. Miss Anson, sister of the Right Hon. Lord Viscount Anson.

— Lieutenant-Colonel Cowper, of the Hon. East India Company's Bombay engineers, to Miss Reece.

13. At Glasgow, Captain John Clerk, 27th regiment, to Miss Elizabeth Graham.

16. Alexander Harley, Esq. of Clunie, Dumfriesshire, to Miss Hyslop, London.

19. The Earl of St Germain's, to Harriet, youngest daughter of the Right Hon. Reginald Pole Carew.

— At Calcutta, Henry Manning junior, Esq. to Miss Russell.

24. The Rev. James Strachan, Cavers, to Miss Jane Brown, Crailing.

25. At Lus-Mance, the Rev. Mr James MacLagan, to Miss Stuart.

27. Carl Gustaw, Baron von Dülw Wischendorf, to Miss Helen Hay, Edinburgh.

— At Newry, Robert Wallace, Esq. to Miss Catharine Matilda, Templeton.

27. At Gloucester, Charles Bathurst, Esq. Sidney Park, to Miss Randall.

— At Bigga, Robert Craig, Esq. of Guildie, to Miss Elizabeth Young.

28. At Bayreuth, by proxy, his Majesty Ferdinand VII. King of Spain, to the Princess Josephine-Emelia Beatrice of Saxony.

30. The Hon. Henry Caulfield, only brother to the Earl of Charlemont, to Miss Elizabeth Margaret Browne, niece to Lady Molyneux.

30. James Montresor Standen, Esq. London, to Miss Henrietta Sophia Fraser.

— Dr Alexander Tweedie, Edinburgh, to Miss Hannah Brown.

SEPTEMBER 1. At Eastwood Manse, Wood Sinclair, Esq. Leith, to Miss Logan.

Mr Gabriel Stevenson of Hamburg, to Miss Margaret Macnair, Glasgow.

3. Edward Stanley of Cross Hall, Lancaster, Esq. to Lady Mary Maitland, second daughter of the Earl of Lauderdale.

— John Kinross, Esq. Cork, distiller, to Miss Gibson, Glasgow.

8. Rear-Admiral Sir David Milne, K.C.B. &c. to Miss Stephen.

SEPTEMBER 8. At Nagpore, James Gordon, Esq. Surgeon, to Miss Maria Louis Fraser.

8. William Plomer, Esq. to Miss Pagan, Edinburgh.

13. Michael Law, Esq. Dublin, to Miss Jane Hannah.

15. At Perpignan, near Toulouse, the Marquis de Chesnel, to Miss Bentham, Berry Lodge, Hants.

16. John Paterson, Esq. Edinburgh, to Miss Jane Hogarth.

The Right Hon. Lord Viscount Belgrave, to the Right Hon. Lady Elizabeth Mary Levison Gower.

Michael Stewart Nicolson, Esq. of Carnock, to Miss Farquhar, Portland Place, London.

— At Edinburgh, Adolphus Macdowall Ross, Esq. M. D. to Miss Catharine Hume.

21. At Edinburgh, Mr James Anderson, civil engineer and land-surveyor, to Miss Walker.

21. At Paris, Captain George Tyler, R. N. to Miss Sullivan, Richings Lodge, Bucks.

27. Colonel Sherlock, 4th dragoon guards, to Miss Wyld, Nottingham.

28. Sir James Dalrymple Hay, Bart. of Park Place, to Miss Maxwell, Springkell.

30. At Paris, Winchcombe Henry Hartley, Esq. to Miss Harris, Rosewarren House.

Lately, At Edinburgh, John Richardson, Esq. to Miss Lewis Hatty.

Sir Henry Rochford Calder, Bart. of Parkhouse, Kent, to Lady Frances Selina Pery, third daughter of the Earl of Limerick.

John W. Grieve, Esq. 2d life guards, to the Hon. Mrs Sidney Bowles, sister to Lord Norwick.

At Kensington, the Rev. George Croly, A. M. to Miss Margaret Helen Begbie.

James Jameson, Esq. to Miss Frances Jane Patton.

At Chinsurah, East Indies, Mr Charles Barber, to Miss Mitchell.

OCTOBER 2. At Brighton, Robert Lewis, Esq. to Miss Onslow.

4. Robert Allan, Esq. surgeon, to Mrs Sophia Bertram Hardy.

5. At Teignmouth, Devonshire, John Cave, Esq. of Brentry House, Gloucestershire, to Miss Catharine Margaret Strachan, of Strachan, Stirlingshire.

— At London, Major-General Sir Herbert Taylor, to Miss Disbrowe.

6. At Monks Kirby, Warwickshire, Sir Francis Brian Hill, K.T.S. Shropshire, to Miss Emily Lissy, Berwick-house.

8. Archibald James Hamilton, younger of Dalzell, Esq. to Miss Margaret Sibella Ramsay, Edinburgh.

10. At London, Charles Bertram, Esq. to Miss Anne Price, Waffam, Herefordshire.

11. At Luchenbreck, David Irving, Esq. surgeon in the service of the Hon. East India Company, to Miss Brown, Linkins.

— William Filger, Esq. Deputy Commissary-General of the Forces, to Miss Wilson, Hallrule.

12. At London, William S. Cumming, Esq. surgeon in the Hon. East India Company's service, to Miss Ann Stewart.

14. At Birdseyards Cottage, near Forres, Lieutenant Arthur Gray, 24th Foot, to Miss Mary Kay.

16. Dr Burnside, Royal Navy, to Miss Sophia Burnside, Ardmore.

18. At London, Colonel Fitzclarence, to Miss Wyndham, second daughter of the Earl of Egremont.

19. William Whyte, merchant, Leith, to Miss Millar, Milntown, Dumbartonshire.

20. James Gordon, Esq. Paymaster, 92d regt. to Miss Margaret Knight, Portsoy.

21. Abram Constable, Esq. of Mount Pleasant House, Lewisham, to Miss Brown, Greenwich.

— At Dungannon, Ireland, David Robert Ross, Esq. of Rosstrevor, to Miss Harriot Knox, niece to Viscount Northland.

25. At Athlone, John M. Roberts, Esq. M.D. to Miss Mary Finlayson, Aberdeen.

26. At Castlebellingham, Ireland, the Rev. Thomas Plunket, to Miss Louisa Jane Foster.

— Robert Ramage Liston, Esq. to Miss Johnston, Hillhouse.

29. At Edinburgh, Sir Joseph Radcliffe, Baronet, to Miss Jacobina Macdonell.

— W. B. Rose, Esq. of Rhynie, to Miss Mary McCulloch, Glastullich.

30. At St Petersburg, Le Comte Gustave Magnus D'Armfelt, Colonel, Aide-de-Camp to his Majesty the Emperor of Russia, to Miss Louisa Cuthbert Brooke.

— At Ratisbon, Count Charles Westerholt, to his cousin, Miss Harriet Spencer, grand-daughter of Lord Charles Spencer.

At Vienna, the Prince Royal of Saxony to the Archduchess of Austria.

Sir James Dalrymple Hay, Bart. to Miss Heron Maxwell.

NOVEMBER 1. At Kingston, Upper Canada, Major Huxley, 70th regiment, to Miss Scott.

— At Edinburgh, William Ronald, Esq. Captain 6th regiment, to Miss Bensop.

David Skirving, Esq. Garelton, to Miss Margaret Lindsay, Haddington.

2. At Glasgow, Mr Robert Armour, merchant, to Miss Isabella Brown, Meiklehill.

— At Edinburgh, Captain Thomas Murray, Hon. East India Company's service, to Miss Purvis, Liverpool.

3. Mr Robert Nasmyth, surgeon, Edinburgh, to Miss Jobson, Dundee.

— At Bombay, James Norton, Esq. of the East India naval service, to the Hon. Eliza Bland Erskine, widow of the Hon. Lieutenant-Colonel Erskine.

4. James Gordon Murdoch, Esq. Oakfield, Berks, to Miss Caroline Penelope, Gambier, niece to Admiral Lord Gambier.

8. At Banff, Osbert Forsyth, Esq. London, to Miss Reid, Inverinkcey.

— At Great Baddow, Essex, Thomas Francis Balderston, Esq. Commander of the Hon. Company's ship Asia, to Miss Elizabeth Urquhart.

9. Frederick Grant, Esq. of Quebec, to Miss Davina Grant, Kincorth.

9. At Glasgow, James Wilson, Esq. advocate, to Miss Margaret Crawford, Broadfield.

— At Edinburgh, J. D. H. Hay, Esq. to Miss Jane Sanderson.

10. John McFarlan, Esq. younger of Balencloche, to Miss Janet Buchanan Ewing, Glasgow.

11. The Rev. Robert Doig, one of the ministers of Aberdeen, to Miss Dingwall.

13. At Calcutta, George Swinton, Esq. civil service, to Miss Swinton.

13. At London, Charles Phillips, Esq. of the Irish Bar, to Miss Whally.

15. Major-General Sir Thomas Brisbane, of Brisbane, K. C. B. to Miss Macdougall of Makerstown.

17. Robert Hogg, Esq. of the East India

Company's service, to Miss North, Leven Hall, Garth, Yorkshire.

18. At Dovecote Hall, Derbyshire, Geo. Richard Phillips, Esq. M.P. to the Hon. Georgiana Caverdish, eldest daughter of Lord Waterpark.

— Major Allan Macdonald, 55th regt., to Miss Nicolson, Ardmore.

25. At Babington, Warwickshire, Arch. Christie, Esq. Mid-Lothian, to Miss Wilner.

26. At Edinburgh, James Winks, Esq. to Miss Elizabeth Brodie, Coathill, Berwickshire.

30. At Gateshead, Newcastle, Stephen Reid, Esq. solicitor, to Miss Barras.

— At Springfield, Arbroath, Capt. Scott of Newton, to Mrs Rolland of Auchmithie.

— At London, Captain Peter Macdougall, 57th regt., to Miss Jane Macdonald.

Lately, The Archdeacon of Kildare, to Miss Rowley, Priory, Huntingdonshire.

— At Bath, Henry Andrews Drummond, Esq. Commander of the Company's ship Castle Huntly, to Miss Turquand.

DECEMBER 2. At Dublin, Charles Drury, Esq. 3d regiment dragoon guards, to Miss Hart.

6. John Barbour, Esq. Lochwinnoch, to Miss Mary Arthur, Gavlemoss.

— Lieutenant W. C. Clark, Rifle Brigade, to Miss Mary Gavin Maclean.

15. At Leith, James Andrew, Esq. of Craigend, to Miss Futton.

16. Captain David Campbell, of his Majesty's late 96th regiment, to Miss Agnes Pollock.

— At Glasgow, Major Macgregor, 58th regiment, to Miss Spens Stuart Collier.

17. Col. Farquharson, to Miss Rebecca Colquhoun, Tillycolquhoun.

18. William Wrixon Becher, Esq. M. P. to the celebrated Miss O'Neill of Covent Garden Theatre.

— Major-General Riall, Gov. of Granada, to Miss Scarlett, Jamaica.

— At Barrackpore, Donald M'Intyre, Esq. merchant, Calcutta, to Miss Margaret Mackenzie.

20. At Glasgow, Mr John K. Wardrop, merchant, to Miss Lightbody, Hurlet.

23. At Bellwood, Andrew Forbes Ramsay, Esq. surgeon, Bengal Establishment, to Miss Isabella Young.

28. Wm. Paul, Esq. accountant, Edinburgh, to Elizabeth, eldest daughter of the late Admiral Deans of Haddington.

Lately, At Edinburgh, William Gordon, Esq. of Evie, to Miss Christiana Murray.

Lately at Scunderbad, East Indies, Capt. J. Wetherall, Royal Scots, to Almeria Laura; and Captain Frederick Markin Doveton, Madras Light Cavalry, to Amelia Sophia, twin daughters of Charles T. Grant, Esq. Paymaster, Royal Scots.

DEATHS.

JANUARY 1.—At Edinburgh, John Brown, Esq. of Prathouse, W. S.

2. At Liverpool, in the 42d year of his age, William Boyle, Esq. of the house of Boyle and Strickland, Trinidad.

— At Bath, Dame Sarah Gordon, relict of the late Sir William Gordon of Embo, Bart.

3. At Seafield, Ireland, Mrs Elizabeth Lett, in the 104th year of her age.

4. At Rome, Maria Theresa of Parma, Queen of Charles IV. of Spain, and mother of Ferdinand VII. King of Spain.

— At Strokestown House, county of Roscommon, in the 81st year of his age, the Right Hon. Maurice Lord Baron Hartland.

— At London, Mrs Hamilton Ann Hathorn Stewart, widow of the late Dr Wm. Cunningham, physician at Bristol.

6. At his house, near Hamilton, John Boyes, Esq. of Wellhall.

— At Edinburgh, the Hon. Henrietta Napier, daughter of the late William Lord Napier.

9. At Stuttgart, her Majesty the reigning Queen of Wirtemberg.

10. At Paris, Count Beauharnois, the Ex-Senator, father of the Grand Duchess of Baden, and first husband of the Empress Josephine.

— At Edinburgh, Anne Maria Mair, daughter of Colonel Mair, Deputy Governor of Fort George.

13. At his apartments in Somerstown, near London, after a lingering illness, Dr John Wolcot, so well known in the literary world under the name of "Peter Pindar," in the 81st year of his age.

— At Duddingston Manor, Mary Helen youngest daughter of the late John Thomson.

— At Grange Estate, Jamaica, John Wood, eldest son of the Rev. Charles Wood, minister at Weston.

— At Bangalore, after a short illness, William Simpson, Esq. merchant, Madras.

18. At Batavia, Mr John Tait, son of the late Mr Andrew Tait, Windygates, Fife-shire.

11. At Hinton St George, in Somersetshire, Earl Paulet, in the 63d year of his age.

— At Jedburgh, in the 69th year of her age, Mrs Betty Home, wife of James Murray, Esq. second daughter of the Hon. George Home, and grand-daughter of Charles, Earl of Home.

16. At Dundee, Mrs Elizabeth Lawson, wife of the Rev. J. Lawson, minister of the gospel.

17. At his house, Bromley, Kent, in the 74th year of his age, William Walmsley, Esq. nearly 20 years clerk of the papers of the House of Lords.

18. At London, Major-Gen. John Wilson, Colonel of the 4th Ceylon regiment.

19. At the Hague, in her 74th year, the Countess Dowager of Athlone.

20. At Naples, John Mutter, Esq. of Richmond, Virginia.

— At Rome, having only survived his Queen about a fortnight, Charles IV., the Ex-King of Spain.

— At Edinburgh, Margaret Robson, wife of Mr M. Corri, professor of music.

23. At Edinburgh, Mary, wife of John Mitchell, Esq., Great King Street.

25. At Dunfermline, aged 59, Captain John Wardlaw, late of the royal marines.

— At Hillbank, near Dundee, Thomas Wise, Esq. of Hillbank.

26. At Rosiere, near Lyndhurst, in the New Forest, after a few days' illness, the Right Hon. the Earl of Errol, one of the sixteen Peers of Scotland, Hereditary Lord High Constable, and Knight Marshal of Scotland, and Lord Commissioner to the General Assembly of the Church of Scotland.

27. At London, Dr Primrose Blair, physician to his Majesty's fleet.

29. Sir Henry Tempst, Bart. of Thorp Leo House, near Staines.

— At her residence in Hill Street, Berkeley Square, London, the Dowager Countess of Sefton, in the 71st year of her age.

— At Kingston, Jamaica, William Caldwell, Esq.

30. At Tobago, Captain James Sangster, of the Pigot West India ship of London.

— At her family seat, Leslie House, in the county of Fife, the Right Hon. Henrietta Ann, Countess of Rothes, Baroness Leslie and Ballenbreich, in the 29th year of her age.

— At Cahir House, county of Tipperary, the Right Hon. Richard Butler, Earl of Glengal, one of the Representative Peers of Ireland.

